**COMMONWEALTH OF VIRGINIA**
**Department of Environmental Quality**
**Division of Water Programs Coordination**

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**Subject:** Guidance Memo No. 03-2011
Implementation Guidance for Reissuance of the General VPDES Permit for Ready-Mixed Concrete Plants VAG11

**To:** Regional Directors

**From:** Larry G. Lawson, P.E., Director

**Date:** August 28, 2003

**Copies:** Regional Water Permit Managers, Regional Water Compliance Managers, Amy Owens, Jon van Soestbergen, OWPP Staff

**Summary:**

This guidance memo replaces Guidance Memo No. 98-2009, the original implementation guidance for the issuance of General Permit VAG11. On June 19, 2003, the State Water Control Board adopted the amended General VPDES Permit Regulation 9 VAC 25-193-10 et seq. that reissues the subject general permit. The general permit will become effective on October 1, 2003 and it expires on September 30, 2008. Copies of the regulation, the general permit, the fact sheet, and the registration statement and instructions are attached for your information. The purpose of this memorandum is to identify the changes that have been made in the reissued general permit and to provide DEQ staff with some guidance on how to implement it.

The existing General Permit VAG11 expires on September 30, 2003. All facilities currently permitted under VAG11 must submit a registration statement and appropriate fee to be permitted under the amended general permit.

**Electronic Copy:**

An electronic copy of this guidance in PDF format is available for staff internally on DEQNET, and for the general public on DEQ's website at: http://www.deq.state.va.us/water/.

**Contact Information:**

If you have any questions regarding this guidance, please contact Lily Choi at (804) 698-4054, email ychoi@deq.state.va.us.

**Disclaimer:**

**This document is provided as guidance and, as such, sets forth standard operating procedures for the agency. However, It does not mandate any particular method nor does it prohibit any particular method for the analysis of data, establishment of a wasteload allocation, or establishment of a permit limit. If alternative proposals are made, such proposals should be reviewed and accepted or denied based on their technical adequacy and compliance with appropriate laws and regulations.**

**Implementation Guidance for Reissuance of the General VPDES Permit for Ready-Mixed Concrete Plants VAG11**

## 1. Introduction

This guidance memo replaces Guidance Memo No. 98-2009, the original implementation guidance for the issuance of General Permit VAG11. On June 19, 2003, the State Water Control Board adopted the amended General VPDES Permit Regulation 9 VAC 25-193-10 et seq. that reissues the subject general permit. The general permit will become effective on October 1, 2003 and it expires on September 30, 2008. A copy of the adopted regulation and the final version of the fact sheet are attached for your information. Separate copies of the general permit, the registration statement and instructions are attached for use by the permit writers. These documents are also available in electronic format on DEQNET. The purpose of this memorandum is to identify the changes that have been made in the reissued general permit and to provide DEQ staff with some guidance on how to implement it.

The existing General Permit VAG11 expires on September 30, 2003. All facilities currently permitted under VAG11 must submit a registration statement and appropriate fee to be permitted under the amended general permit.

## 2. Changes to the General Permit

In addition to the date changes, the following changes have been made to the general permit:

a. Registration statement removed from regulation
The registration statement has been removed from the regulation. However, the information required to be submitted on the registration statement is retained in 9 VAC 25-193-60. This approach allows for increased flexibility in formatting registration statements (i.e. on-line registration, etc.) and is consistent with amendments being made to all other VPDES general permit regulations as the general permits are reissued.

b. Part I. A. 1 & 2 - Total Residual Chlorine (TRC) limitations and Ammonia monitoring
The TRC limitations have been revised in accordance with DEQ's Guidance Memo#00-2001 Guidance on Preparing VPDES Permit Limits. Implementation of the toxic standards including chlorine was updated through this guidance as a result of recent modifications to the Virginia Water Quality Standards (9 VAC 25-260). Chloramines are common chemicals used for disinfection of drinking water. Ammonia is a by-product of chloramines use. Therefore, ammonia monitoring is required in cases where the discharge contains cooling water that is disinfected using chloramines, as identified in the registration statement Item 2.G.a.

c. Part I. A. 1 & 3 – Testing protocols for Total Petroleum Hydrocarbons (TPH)
The testing protocols for TPH has been updated. The TPH limit is applicable to certain facilities that have an onsite vehicle/equipment maintenance shop, as identified in Item 2.E of the registration statement.

d. Part I. A. 1 & 2 – Reduced monitoring frequency
The reduced monitoring provision has been revised to address concerns of noncompliance that may occur after reduced monitoring frequency is granted. Except for TPH, reduced monitoring may have been granted for a facility that was covered under the previous general permit. Prior to issuing coverage under the reissued general permit, the staff should review the DMRs received after the reduced monitoring frequency was granted during the current permit term. If full compliance is demonstrated, the discharge is eligible for reduced monitoring frequency under the reissued general permit. In all other cases, monitoring shall be once per month for the first year of permit coverage. If the first year results demonstrate full compliance, monitoring could be

reduced to once per quarter. Request for monitoring reduction should be initiated by the permittee and monitoring can only be reduced when the authorization is received from the regional office. In order to demonstrate compliance, it is anticipated that 12 data points will be gathered in the first year unless no discharge is reported in a particular month. Should the permittee be issued a Warning Letter related to violation of effluent limitations, a Notice of Violation, or be the subject of an active enforcement action, monitoring frequency shall revert to once per month, upon issuance of the letter or notice or initiation of the enforcement action, and remain in effect until the permit's expiration date.

e. Part I. A.3, 4, 5 & 6 – Storm water monitoring

In order to maintain consistency with the EPA NPDES Storm Water Multi-Sector General Permit, total recoverable iron has been added and chemical oxygen demand deleted from the parameter list for storm water discharges. Additionally, a quarterly visual monitoring is required. The deadline for annual monitoring report has been changed to the tenth day of January of each year. Specific storm event data is required to be submitted with the DMR.

f. Part I.B.8 - O&M Manual

This special condition has been amended to require the permittee, whose facility was covered under the previous general permit, to review and modify, as appropriate, the existing O&M Manual within 90 days of permit coverage.

g. Part I.B.9 – Notification of discharge to a Municipal Separate Storm Sewer System (MS4)

A copy of such notice to the owner of the MS4 is now required to be provided to DEQ by the permittee.

h. Part I.B.10 - Freeboard requirements

The special condition has been revised to allow a 72-hour transition period after a measurable rainfall event, provided that no discharge shall occur during the transition period unless it is in accordance with the permit. The transition period will provide sufficient flexibility for proper operation and maintenance of the facility. A daily inspection requirement is added to ensure that freeboard is properly maintained and the inspection log is required to be kept onsite for DEQ staff inspection.

i. Part I.B.14 - Reuse of wastewater for onsite dust suppression

Reuse of wastewater for dust suppression has been a common practice for most of the ready-mixed concrete plants. In order to ensure that reuse of treated wastewater on site for the purposes of dust suppression is managed properly and no ponding or surface runoff will occur, this condition is added to the general permit. This and any other reuse practices should be identified in Item 2.D of the registration statement and should be addressed in the O&M Manual. In keeping with the agency's policy of promoting and encouraging the reuse of wastewater instead of potable water, either fully or partially treated wastewater may be used for dust suppression.

j. Part I. B.15 - Compliance reporting for TRC and Ammonia-N

In accordance with Guidance Memo#00-2001, Amendment #3, this special condition has been added.

k. Part II.C - Storm water sampling waiver

Amendment has been made to this special condition that requires, in the event of adverse weather conditions, a substitute sample be collected in the next period and data be submitted along with the data for the routine sample in that period. Restriction for exercising the waiver to no more than once during the permit term has been lifted.

l. Part II.D - Quarterly visual examination of storm water quality

This is a new requirement. It is believed that visual examination of storm water provides a useful and inexpensive means for permittees to evaluate the effectiveness of their storm water pollution prevention plans (SWP3s) and make any necessary modifications to address the results of the visual examinations. The frequency of this visual examination will also allow for timely adjustments to be made to the plan.

m. Part II.E - Allowable nonstorm water discharges

This new requirement identifies allowable nonstorm water discharges including incidental windblown mist from cooling towers. In order to be authorized under this provision, the sources of nonstorm water must be identified in the SWP3 and, except for flows from fire fighting activities, the plan must identify and ensure the implementation of appropriate pollution prevention measures for such discharges.

n. Part II.F - Releases of hazardous substances or oil in excess of reportable quantities

This new requirement provides that the discharge of hazardous substances or oil from a facility must be eliminated or minimized in accordance with the SWP3 developed for this facility. Where a release containing a hazardous substance or oil in a reportable amount, the permittee must notify the Department as soon as possible. Where a release enters a MS4, the permittee must notify the owner of the MS4. In addition, the SWP3 must be reviewed to identify measure to prevent the reoccurrence of such releases and to respond to such releases, and the plan must be modified as needed.

o. Part II.G – Storm Water Pollution Prevention Plans (SWP3s)

For a proposed discharge, the plan shall be prepared and implemented prior to the date of submission of the registration statement. This information should be provided under the registration statement Item 6. For an existing discharge, the time frame for preparation and implementation of the plan has been changed to within 270 days from the date of coverage under this permit. A new requirement has been imposed for a facility covered under the previous general permit to update the plan in order to comply with the new requirements of the reissued general permit. In cases where construction is needed to implement measures required by the plan, the general permit requires the plan contain a compliance schedule for no later than 3 years. In order to be consistent with EPA NPDES Storm Water Multi-Sector General Permit, the sector specific SWP3s requirements have been incorporated into this general permit. These include drainage area site map, good housekeeping and routine inspections. Additional requirements for salt storage and storm water discharges associated with industrial activity from facilities subject to section 313 of the Emergency Planning and Community Right-to-Know Act of 1986 reporting requirements are also included.

## 3. Coverage and Restrictions

The general permit is applicable to discharges of process wastewater and/or storm water associated with industrial activity from ready-mixed concrete plants (SIC Code 3273) either directly to surface waters or indirectly to surface waters through a MS4. It should be noted that this general permit will cover not only facilities where the majority of the industrial activity is the production of ready-mixed concrete; it could also provide coverage to a facility which produces several products but the only wastewater discharge is from the ready-mixed concrete production area. Note that both permanent and portable plants are included in the definition of "industrial activity" and both could be covered under this general permit. However, it is neither the intent of the general permit regulation nor the definition of the portable plant to cover a homeowner who rents a cement mixer from the hardware store to put in his driveway under this general permit. For construction site portable ready-mixed concrete operations, storm water discharges may be covered under the general permit for storm water discharges from construction activities, as long as there is no reasonable potential for discharges of process wastewater from this support activity. This

will be a call the permit staff has to make based on the information in the registration statement or from a site visit. It is also recommended that DEQ air staff should inform the water staff when a potable plant request for an air permit. The water staff will then decide if a general permit will be required for this operation.

As to the question on the VPDES/VPA permits that the applicants are currently holding, as identified in Item 2. C & D of the registration statement, it is desirable to consolidate the discharge and no-discharge modes of operation into one general permit. The no-discharge mode of operation could be the reuse/recycle of process wastewater and/or storm water.

The discharges of process wastewater and/or storm water from the ready-mixed concrete plants are subject to the following restrictions:

a. The owner has not been required to obtain an individual permit.

b. No discharges are allowed to any state waters specifically named in other board regulations or policies which prohibit such discharges.

c. The effluent limitations listed in 9 VAC 25-260-310.m (special standards and requirements for the Chickahominy watershed above Walker's Dam) are intended for wastewater treatment facilities and do not apply to discharges consisting solely of storm water.

**4. Registration Statements and Fee Forms**

Registration statement and its instructions are included with this guidance as an attachment. The registration statement has changed slightly. Do not use the registration statements used for the 1998-2003 general permit cycle.

Registration statements, fee forms, and fees must be received as follows:

a. Affected facilities

Discharges that are currently covered by General Permit VAG11 must submit a registration statement in order to continue coverage under the reissued permit. Registration statements from these facilities must be received prior to October 1, 2003 to ensure continued coverage of the discharge under the general permit.

Qualifying new discharges must submit a registration statement prior to commencing discharge in order to obtain coverage under the general permit.

Qualifying existing facilities that currently discharge to surface waters or to a MS4 without a permit must submit a registration statement in order to obtain coverage under the general permit.

Qualified facilities that currently discharge process wastewater and/or storm water under an individual VPDES permit can apply for coverage under the general permit. It is preferable that such application be timed to coincide with the expiration of the individual permit. However, a discharge can also request that the facility's individual permit be revoked so that the discharge can be covered under the general permit.

b. On-line registration

As of the date of guidance, the on-line capability does not exist but is expected in the near future. On-line registration for coverage under this general permit will be available at the following website: http://www.deq.state.va.us/vpdes/concrete.html. However, DEQ must receive a printed application, a copy of the fee form, and a copy of the check in the mail before processing can be completed. For CEDS and other purposes, the date of permit application receipt (APRD) should be based on the date of the hard copy is received.

c. Registration statement and fee submittal

Original signed registration statements must be submitted to the regional office with jurisdiction over the locality in which the discharge takes place. A copy of the fee form and a copy of the applicant's check must accompany the registration statement. The original signed fee form and the check must be submitted to Receipts Control at the DEQ Central Office. A copy of the required fee form, which includes the appropriate address, is provided with this guidance as an attachment.

## 5. Fee Schedule

The fee for registration under this general permit is $600. However, under the State Water Control Law, the fee must be prorated depending on the amount of time remaining in the permit term. For this general permit, the prorated schedule is as follows:

| Start Date | | End Date | Fee |
|---|---|---|---|
| October 1, 2003 | - | March 31, 2004 | $600 |
| April 1, 2004 | - | March 31, 2005 | $480 |
| April 1, 2005 | - | March 31, 2006 | $360 |
| April 1, 2006 | - | March 31, 2007 | $240 |
| April 1, 2007 | - | March 31, 2008 | $120 |
| April 1, 2008 | - | September 30, 2008 | $ 0 |

Note that effective July 1, 2004, the State Water Control Law limits allowable fees for general permits to a maximum of $200. Unless legislative action is taken, the preceding fee schedule will need to be revised to reflect the requirements of the law. Any revisions to the above fee schedule will be communicated by the Office of Water Permit Programs.

## 6. Issuance of the General Permit to a Discharger

Once it is determined that the registration statement represents a facility that qualifies for coverage, the general permit pages can be prepared. The general permit pages are included with this guidance as an attachment. The cover page, printed on agency letterhead, appropriate Part I effluent limits pages, special conditions, and boilerplate should be assembled with the general permit number for the facility entered in the upper right hand corner of the Part I, II, and III pages. Applicable Part I A pages will be determined by the types of discharge identified in the registration statement. For example, if a facility discharges process wastewater and storm water through separate outfalls and there is no discharge of cooling water through another outfall, only Part I A page 1, 2, 5 and 6 will be applicable and be included in the general permit issued to the facility. Be sure to do a final Part I page count and add page numbers to the upper right hand corner of the Part I pages. The pages of part II and III are already numbered. The appropriate outfall number must be added at the end of the first sentence on each effluent limits page. No other changes to the language of the general permit are authorized.

The system for numbering all facilities registered under the general permit has changed. Permit numbers are assigned sequentially by CEDS when the registration statement is saved into the database. All permit numbers will begin with the same five characters: VAG11. The remaining numbers are assigned by CEDS. Please remember that the permit number must be added to the permit pages, including the cover page, before the permit is mailed to the permittee.

The general permit requires monthly, quarterly or annual monitoring and reporting. Therefore, Discharge Monitoring Reports (DMRs) are necessary for reporting and compliance tracking. DMRs should be prepared to reflect the applicable effluent limitations and monitoring requirements for each outfall addressed in Part I A of the permit. As discussed in Item 2.d above, an updated DMR should be prepared

and be sent to the permittee once a request for reduced monitoring is granted or a reversion of monitoring frequency is necessary as a result of noncompliance.

Use the appropriate letter to transmit the permit and DMRs to the permittee. It is not necessary to copy the DEQ Office of Water Permit Programs or EPA on individual coverage under a general permit. Note that the transmittal letter for coverage under a general permit does not contain the two paragraphs referencing the owner's right to appeal the decision to cover them under a general permit. The transmittal letter should indicate when DMRs are due and where the DMRs are to be sent.

**7. Termination of Coverage and Change of Ownership**

If an owner requests termination of coverage under the general permit the regional office can terminate coverage under regional letterhead.

If there is a request for change of ownership, then the new owner assumes the coverage under the general permit and the permit number does not change. The new owner may submit a new registration statement, but it is not required. Part III of the permit allows for automatic transfer of ownership if the 30-day prior notice and the required written agreement between the new and the old owners are provided. The other change of ownership requirements and procedures in the VPDES Permit Regulation and VPDES Permit Manual that are common to all VPDES permits apply to this general permit as well. Any change of status should be noted in CEDS.

**8. Compliance Reporting**

DMRs are due on the tenth of the following month for monthly reporting; the tenth of January, April, July and October for quarterly reporting; and the tenth of January of each year for annual reporting. Tracking of compliance with the effluent limits and other requirements of the permit should be done according to the Compliance Auditing System already established. Reporting requirements for noncompliance, unusual or extraordinary discharges, etc. are the same as for individual permits.

**9. Inspection of Facility Covered**

Facilities covered under this general permit are subject to the requirements for the industrial small category of facilities as set forth in DEQ's inspection strategy. As such, they should be inspected at least once every five years. The inspections should verify proper operation and maintenance of each unit process that include, but are not limited to, freeboard maintenance and pH adjustment; waste concrete handling; and implementation of SWP3. Also verify the discharge points, either to MS4s or directly to surface waters. If applicable, verify onsite vehicle/equipment maintenance activities, reuse of wastewater for dust suppression, and the presence and chemical usage of geothermal unit. The daily inspection log for freeboard maintenance, the O & M Manual, the SWP3, records of routine facility inspections, and the annual site compliance inspection report as required by the SWP3 are subject to DEQ staff inspection.

Note that the purpose of freeboard requirements, as discussed in Item 2.h above, is to prevent overflow. In cases where the notches or pipes are located less than one foot from the top of settling basins (and most likely plans and specs have been approved by the Board), the one-foot freeboard requirement should be maintained in the last basin only. Inspector judgement is necessary to determine the critical point in the system such that the intent of the special condition is met. The freeboard measurement and calibration procedures should be included in the O&M Manual.

**10. Record Keeping and Audit**

Tracking of coverage under this general permit will be in CEDS. It is important that CEDS is kept updated with relevant information pertaining to the general permit, and this information is subject to

audit. Database information must include, but is not limited to, facilities registered under the permit, permittees, contact information and permit numbers.

Hard copy files that must be retained and are subject to audit include, but are not limited to, the following:

a. A copy of the registration statement and information required by the registration statement;
b. A record of the evaluation of DMRs used to determine eligibility for reduced monitoring for a facility covered under the previous general permit.
c. A copy of the general permit and DMR(s) sent to the permittee;
d. Copies of all inspection reports related to the discharge; and
e. Copies of the request and authorization letter for reduced monitoring and a record of the evaluation of DMRs used to determine its eligibility, if applicable.

## 11. Monitoring Data Review

As discussed in a memo from Jon van Soestbergen to Martin Ferguson dated November 18, 2002 regarding general permit for cooling water discharge, evaluation of collected data will be performed prior to the next round of general permit reissuance. Regional office should ensure that all relevant monitoring records are maintained and filed such that the information can be provided in a timely manner to the Office of Water Permit Programs upon request. The DMR data and any proposed limitations as a result of such evaluation should be brought to the Technical Advisory Committee for its consideration.

**Attachments:**

A. General Permit Regulation
B. General Permit Fact Sheet
C. General Permit Pages
D. Registration Statement and Instructions
E. Fee Form
F. Example Registration Statement Transmittal Letter
G. Example Transmittal Letter for General Permit Issuance

Attachment A

General Permit Regulation

**COMMONWEALTH OF VIRGINIA**
**STATE WATER CONTROL BOARD**

9 VAC 25-193-10 et seq. – GENERAL VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM (VPDES) PERMIT REGULATION FOR READY-MIXED CONCRETE PLANTS

Adopted June 19, 2003 Effective October 1, 2003

**9 VAC 25-193-10 Definitions**

The words and terms used in this regulation shall have the same meanings as defined in the Code of Virginia, §62.1-44.2 et seq. (State Water Control Law) and 9 VAC 25-31 (VPDES Permit Regulation), unless the context clearly indicates otherwise, except that for the purposes of this chapter:

"Industrial Activity" means facilities or those portions of a facility where the primary purpose is classified as Standard Industrial Classification (SIC) Code 3273 (Office of Management and Budget (OMB) SIC Manual, 1987), including both permanent and portable plants.

**9 VAC 25-193-20 Purpose**

This general permit regulation governs the discharge of process wastewater and storm water associated with industrial activity from ready-mixed concrete plants classified as Standard Industrial Classification Code 3273, provided that the discharge is through a point source to surface waters.

**9 VAC 25-193-30 Delegation of authority**

The director of the Department of Environmental Quality, or his designee, may perform any act of the board provided under this regulation, except as limited by §62.1-44.14 of the Code of Virginia.

**9 VAC 25-193-40 Effective date of the permit**

This general VPDES permit will become effective on October 1, 2003, and it will expire on September 30, 2008. With respect to a particular facility, this general permit shall become effective upon the facility owner's compliance with the provisions of 9 VAC 25-193-50 and the receipt of a copy of the general VPDES permit.

**9 VAC 25-193-50 Authorization to discharge**

A. Any owner governed by this General Permit is hereby authorized to discharge to surface waters of the Commonwealth of Virginia provided that the owner has filed with the department the registration statement described in 9 VAC 25-193-60, has filed the required permit fee, has complied or will comply with the effluent limitations and other requirements of 9 VAC 25-193-70, and has complied with the following conditions:

1. The owner shall not have been required to obtain an individual permit as may be required in 9 VAC 25-31-170 B; and
2. The owner shall not be authorized by this general permit to discharge to state waters specifically named in other board regulations or policies which prohibit such discharges.

B. Receipt of this general permit does not relieve any owner of the responsibility to comply with any other applicable federal, state or local statute, ordinance or regulation.

**9 VAC 25-193-60 Registration statement**

A. Deadlines for submitting registration statement. The owner shall file a complete General VPDES Permit registration statement which shall serve as a notice of intent to be covered under the general VPDES permit for

ready-mixed concrete plants. Any owner proposing a new discharge shall file a complete registration statement at least 30 days prior to the date planned for commencing operation of the ready-mixed concrete plant. Any owner of an existing ready-mixed concrete plant covered by an individual VPDES permit who is proposing to be covered by this general permit shall file a complete registration statement at least 180 days prior to the expiration date of the individual VPDES permit. Any owner of an existing ready-mixed concrete plant not currently covered by a VPDES permit who is proposing to be covered by this general permit shall file a complete registration statement.

B. The owner shall submit a registration statement that contains the following information:

1. Name and location of the facility;
2. Name, mailing address, and telephone number of the facility owner;
3. Name, mailing address, and telephone number of the operator if different than owner;
4. Facility's Standard Industrial Classification (SIC) Code(s);
5. Nature of business at facility;
6. Indicate if the facility is proposed or existing; if the facility has a current VPDES and/or VPA Permit; and Permit Number(s) for any current VPDES and/or VPA Permits;
7. Description of the wastewater treatment or reuse/recycle system(s); indicate if there are any system(s) which operate in a "no discharge" mode;
8. If settling basins are used for treatment and control of process wastewater and commingled storm water, indicate the original date of construction, and whether these basins are lined with concrete or any other impermeable materials;
9. Indicate if there are vehicle/equipment maintenance activities on site. If yes, indicate if there is any process wastewater generated from these activities;
10. Indicate if this facility discharges noncontact cooling water from a geothermal unit or other system. If yes, description of the source of noncontact cooling water;
11. Indicate if any chemical additives are used in the geothermal or other system which discharges noncontact cooling water. If yes, list of chemical additive employed and its purpose; proposed schedule and quantity of chemical usage, and estimated concentration in the discharge; description of any wastewater treatment or retention during the use of the additives, if applicable; and a Material Safety Data Sheet (MSDS) and available aquatic toxicity information for each additive proposed for use;
12. Description of any measures employed to reclaim, reuse or disposal of the waste concrete materials;
13. A schematic drawing which shows the source(s) of water used on the property, the industrial operations contributing to or using water, and the conceptual design of the methods of treatment and disposal of wastewater and solids;
14. A topographic map, extending to at least one mile beyond property boundary, which shows the outline of the facility, the location of each of its existing and proposed intake and discharge points, and the locations of any wells, springs, and other surface water bodies;
15. Discharge outfall information, including outfall number(s), processes involved, estimated flow (gallons per day), receiving water bodies, and duration and frequency of each discharge (hours per day and days per week);
16. For a proposed facility that discharges storm water, indicate if a Storm Water Pollution Prevention Plan has been prepared;
17. The following certification: "I hereby grant to duly authorized agents of the Department of Environmental Quality, upon presentation of credentials, permission to enter the property where the treatment works is located for the purpose of determining compliance with or the suitability of coverage under the General Permit. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations."

The registration statement shall be signed in accordance with the requirements of 9 VAC 25-31-110.

**9 VAC 25-193-70 General permit**

Any owner whose registration statement is accepted by the Board will receive the following permit and shall comply with the requirements contained therein and be subject to all requirements of 9 VAC 25-31.

General Permit No.: VAG11

Effective Date: October 1, 2003
Expiration Date: September 30, 2008

GENERAL PERMIT FOR READY-MIXED CONCRETE PLANTS

AUTHORIZATION TO DISCHARGE UNDER THE
VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM
AND
THE VIRGINIA STATE WATER CONTROL LAW

In compliance with the provisions of the Clean Water Act, as amended, and pursuant to the State Water Control Law and regulations adopted pursuant thereto, owners of ready-mixed concrete plants are authorized to discharge to surface waters within the boundaries of the Commonwealth of Virginia, except those specifically named in board regulations or Policies which prohibit such discharges.

The authorized discharge shall be in accordance with this cover page, Part I - Effluent Limitations, Monitoring Requirements, and Special Conditions, Part II - Storm Water Management, and Part III - Conditions Applicable to All VPDES Permits, as set forth herein.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge process wastewater which may contain input from vehicle/equipment maintenance activities, and may be commingled with noncontact cooling water or storm water associated with industrial activity. Samples taken in compliance with the monitoring requirements specified below shall be taken at outfall(s) .

Such discharges shall be limited and monitored by the permittee as specified below:

| EFFLUENT CHARACTERISTICS | DISCHARGE LIMITATIONS | | | MONITORING REQUIREMENTS | |
|---|---|---|---|---|---|
| | Average | Maximum | Minimum | Frequency | Sample Type |
| Flow (MGD) | NL | NL | NA | (6) | Estimate |
| Total Suspended Solids (mg/l) | 30 | 60 | NA | (6) | Grab |
| pH (standard units) | NA | 9.0(1) | 6.0(1) | (6) | Grab |
| Total Petroleum Hydrocarbons (2) (mg/l) | NA | 15 | NA | 1/3 Months | Grab |
| Total Residual Chlorine (3) (mg/l) | 0.016 | 0.016 | NA | (6) | Grab |
| Ammonia-N (3) (mg/l) | NA | NL | NA | (6) | Grab |
| Temperature (4) ($^{o}$C) | NA | (5) | NA | (6) | Immersion Stabilization |

NL = No limitation, monitoring required
NA = Not applicable

(1) Where the Water Quality Standards (9 VAC 25-260) establish alternate standards for pH in the waters receiving the discharge, those standards shall be the maximum and minimum effluent limitations.

(2) Total Petroleum Hydrocarbons limitation and monitoring are only required where a discharge contains process wastewater generated from the vehicle/equipment maintenance activities. Total Petroleum Hydrocarbons shall be analyzed using the Wisconsin Department of Natural Resources Modified Diesel Range Organics Method as specified in Wisconsin publication SW-141 (1995), or by EPA SW-846 Method 8015B (1996) for diesel range organics, or by EPA SW-846 Method 8270C (1996). If Method 8270C is used, the lab must report the combination of diesel range organics and polynuclear aromatic hydrocarbons.

(3) Chlorine limitation and monitoring are only required where the discharge contains cooling water that is chlorinated. Ammonia monitoring is only required where the discharge contains cooling water that is disinfected using chloramines.

(4) Temperature limitation and monitoring are only required where a discharge contains cooling water.

(5) The effluent temperature shall not exceed a maximum 32 $^{o}$C for discharges to non-tidal coastal and piedmont waters, 31 $^{o}$C for mountain and upper piedmont waters, 21 $^{o}$C for put and take trout waters, or 20 $^{o}$C for natural trout waters. No maximum temperature limit applies to discharges to estuarine waters.

For estuarine waters, non-tidal coastal and piedmont waters, mountain and upper piedmont waters, and put and take trout waters, the effluent shall not cause an increase in temperature of the receiving stream of more than 3$^{o}$C above the natural water temperature. For natural trout waters, the temperature of the effluent shall not cause an increase of 1 $^{o}$C above natural water temperature. The effluent shall not cause the temperature in the receiving stream to change more than 2 $^{o}$C per hour, except in the case of natural trout waters where the hourly temperature change shall not exceed 0.5 $^{o}$C.

Natural temperature is defined as that temperature of a body of water (measured as the arithmetic average over one hour) due solely to natural conditions without the influence of any point-source discharge.

(6) For a facility that was covered by the previous general permit, and reduced monitoring was granted and compliance demonstrated, monitoring frequency shall be 1/quarter. In all other cases, monitoring frequency shall be 1/month in the first year of permit coverage. If the first year results demonstrate full compliance with the effluent limitations and the permittee receives authorization from the DEQ regional office, monitoring frequency shall be reduced to 1/quarter. Should the permittee be issued a Warning Letter related to violation of effluent limitations, a Notice of Violation, or be the subject of an active enforcement action, monitoring frequency shall revert to 1/month, upon issuance of the letter or notice or initiation of the enforcement action and remain in effect until the permit's expiration date. Reports of quarterly monitoring shall be submitted to the DEQ regional office no later than the tenth day of April, July, October, and January.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

2. During the period beginning on the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge noncontact cooling water. Samples taken in compliance with the monitoring requirements specified below shall be taken at outfall(s) .

Such discharges shall be limited and monitored by the permittee as specified below:

| EFFLUENT CHARACTERISTICS | DISCHARGE LIMITATIONS | | | MONITORING REQUIREMENTS | |
|---|---|---|---|---|---|
| | Average | Maximum | Minimum | Frequency | Sample Type |
| Flow (MGD) | NL | NL | NA | (4) | Estimate |
| pH (standard units) | NA | 9.0(1) | 6.0(1) | (4) | Grab |
| Total Residual Chlorine (2) (mg/l) | 0.016 | 0.016 | NA | (4) | Grab |
| Ammonia-N (2) (mg/l) | NA | NL | NA | (4) | Grab |
| Temperature ($^{o}$C) | NA | (3) | NA | (4) | Immersion Stabilization |

NL = No limitation, monitoring required
NA = Not applicable

(1) Where the Water Quality Standards (9 VAC 25-260) establish alternate standards for pH in the waters receiving the discharge, those standards shall be the maximum and minimum effluent limitations.

(2) Chlorine limitation and monitoring are only required where the source of cooling water is chlorinated. Ammonia monitoring is only required where cooling water is disinfected using chloramines.

(3) The effluent temperature shall not exceed a maximum 32 $^{o}$C for discharges to non-tidal coastal and piedmont waters, 31 $^{o}$C for mountain and upper piedmont waters, 21 $^{o}$C for put and take trout waters, or 20 $^{o}$C for natural trout waters. No maximum temperature limit applies to discharges to estuarine waters.
For estuarine waters, non-tidal coastal and piedmont waters, mountain and upper piedmont waters, and put and take trout waters, the effluent shall not cause an increase in temperature of the receiving stream of more than 3$^{o}$C above the natural water temperature. For natural trout waters, the temperature of the effluent shall not cause an increase of 1 $^{o}$C above natural water temperature. The effluent shall not cause the temperature in the receiving stream to change more than 2 $^{o}$C per hour, except in the case of natural trout waters where the hourly temperature change shall not exceed 0.5 $^{o}$C.

Natural temperature is defined as that temperature of a body of water (measured as the arithmetic average over one hour) due solely to natural conditions without the influence of any point-source discharge.

(4) For a facility that was covered by the previous general permit, and reduced monitoring was granted and compliance demonstrated, monitoring frequency shall be 1/quarter. In all other cases, monitoring frequency shall be 1/month in the first year of permit coverage. If the first year results demonstrate full compliance with the effluent limitations and the permittee receives authorization from the DEQ regional office, monitoring frequency shall be reduced to 1/quarter. Should the permittee be issued a Warning Letter related to violation of effluent limitations, a Notice of Violation, or be the subject of an active enforcement action, monitoring frequency shall revert to 1/month, upon issuance of the letter or notice or initiation of the enforcement action and remain in effect until the permit's expiration date. Reports of quarterly monitoring shall be submitted to the DEQ regional office no later than the tenth day of April, July, October, and January.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS - STORM EVENT MONITORING

3. During the period beginning on the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge storm water associated with industrial activity which does not combine with other process wastewaters or noncontact cooling water prior to discharge. Samples taken in compliance with the monitoring requirements specified below shall be taken at outfall(s) .

Such discharges shall be limited and monitored by the permittee as specified below:

| EFFLUENT CHARACTERISTICS | DISCHARGE LIMITATIONS | | MONITORING REQUIREMENTS | |
|---|---|---|---|---|
| | Maximum | Minimum | Frequency | Sample Type |
| Flow (MG) | NL | NA | 1/Year | Estimate(1) |
| Total Petroleum Hydrocarbons (3) (mg/l) | NL | NA | 1/Year | Grab(2) |
| Total Suspended Solids (mg/l) | NL | NA | 1/Year | Grab(2) |
| Total Recoverable Iron (mg/l) | NL | NA | 1/Year | Grab(2) |
| pH (standard units) | NL | NL | 1/Year | Grab(2) |

NL = No limitation, monitoring required
NA = Not applicable

(1) Estimate of the total volume of the discharge during the storm event in accordance with the Operation and Maintenance Manual.
(2) The grab sample shall be taken during the first thirty minutes of the discharge. If during the first thirty minutes it was impracticable, then a grab sample shall be taken during the first hour of discharge, and the permittee shall submit with the Discharge Monitoring Report a description of why a grab sample during the first 30 minutes was impracticable.
(3) Total Petroleum Hydrocarbons shall be analyzed using the Wisconsin Department of Natural Resources Modified Diesel Range Organics Method as specified in Wisconsin publication SW-141 (1995), or by EPA SW-846 Method 8015B (1996) for diesel range organics, or by EPA SW-846 Method 8270C (1996). If Method 8270C is used, the lab must report the combination of diesel range organics and polynuclear aromatic hydrocarbons.

4. All storm water samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. Specific storm event data shall be reported with the Discharge Monitoring Report in accordance with Part II A.

5. Reports of annual monitoring shall be submitted to the DEQ regional office no later than the tenth day of January of each year.

6. A quarterly visual monitoring shall be performed and recorded in accordance with Part II D.

B. Special conditions

1. There shall be no discharge of floating solids or visible foam in other than trace amounts.

2. Except as expressly authorized by this permit, no product, materials, industrial wastes, or other wastes resulting from the purchase, sale, mining, extraction, transport, preparation, or storage of raw or intermediate materials, final product, by-product or wastes, shall be handled, disposed of, or stored so as to permit a discharge of such product, materials, industrial wastes, or other wastes to surface waters.

3. Vehicles and equipment utilized during the industrial activity on site must be operated and maintained in such a manner as to minimize the potential or actual point source pollution of surface waters. Fuels, lubricants, coolants, and hydraulic fluids, or any other petroleum products, shall not be disposed of by discharging on the ground or into surface waters. Spent fluids shall be disposed of in a manner so as not to enter the surface or ground waters of the state and in accordance with the applicable state and federal disposal regulations. Any spilled fluids shall be cleaned up to the maximum extent practicable and disposed of in a manner so as not to allow their entry into the surface or ground waters of the state.

4. There shall be no product mixing unit washout or truck washing activities conducted outside of the designated washdown and washout areas. All washout water shall be collected for recycle or treated prior to discharge.

5. Any waste concrete and dredged solids from the settling basins shall be managed within a designated area, and any wastewaters including storm water generated from these activities shall be collected for recycle or treated prior to discharge.

6. No sewage discharges to surface waters are permitted under this general permit.

7. For geothermal or other system which discharges noncontact cooling water, the use of any chemical additives, except chlorine, without prior approval is prohibited under this general permit. Prior approval shall be obtained from the DEQ Regional Office before any changes are made to the chemical usage in the geothermal or other system. Requests for approval of chemical use shall be made in writing and shall include the following information:

a. The chemical additive to be employed and its purpose;
b. The proposed schedule and quantity of chemical usage, and the estimated concentration in the discharge;
c. The wastewater treatment or retention (if any) to be provided during the use of the additive; and
d. A Material Safety Data Sheet (MSDS) and available aquatic toxicity information for each additive proposed for use.

8. Within 180 days after the date of coverage under this general permit, the permittee shall develop an Operations and Maintenance (O&M) Manual for the permitted facility. The O&M Manual shall include procedures and practices for the mitigation of pollutant discharges and for the protection of state waters from the facility's operations. The manual shall address, at a minimum, operations and maintenance practices for the wastewater treatment process units and chemical and material storage areas, solids management and disposal procedures, temporary and long-term facility closure plans, testing requirements and procedures, record keeping and reporting requirements and the duties and roles of responsible officials.

The permittee shall implement the O&M Manual procedures and practices as soon as possible but no later than 12 months after the date of coverage under this general permit. The manual shall be kept on site at the permitted facility and shall be made available to the Department upon request.

For a facility that was covered by the previous permit, an O&M Manual was required to be developed and implemented for that facility. Within 90 days after the date of coverage under this general permit, the existing O&M Manual shall be reviewed and modified, as appropriate, to conform to the requirements of this permit. The existing O&M Manual shall continue to be implemented until the manual, if required, is revised and implemented.

9. If the ready-mixed concrete plant discharges through a municipal separate storm sewer system to surface waters, the permittee shall, within 30 days of coverage under this general permit, notify the owner of the municipal separate storm sewer system of the existence of the discharge and provide the following information: the name of the facility; a contact person and phone number; nature of the discharge; number of the outfalls; and the location of the discharge. A copy of such notification shall be provided to the department.

10. The permittee shall ensure that all basins and lagoons maintain a minimum freeboard of one foot at all times except during a 72-hour transition period after a measurable rainfall event. During the 72-hour transition period, no discharge from the basins and lagoons shall occur unless it is in accordance with this permit. Within 72 hours after a measurable rainfall event, the freeboard in all basins and lagoons shall return to the minimum freeboard of one foot. Should the one-foot freeboard not be maintained, the permittee shall immediately notify the DEQ Regional Office, describe the problem and corrective measures taken to correct the problem. Within 5 days of notification, the permittee shall submit a written statement to the regional office of explanation and corrective measures taken. In order to demonstrate compliance, the permittee shall conduct daily inspections while the facility is in operation and maintain an inspection log. The inspection log shall include at least the date and time of inspection, the weather data including the occurrence of a measurable rainfall event, the printed name and the handwritten signature of the inspector, the freeboard measurement in inches, a notation of observation made, and any corrective measures, if appropriate, taken. The log shall be kept onsite and be made available to the department upon request.

11. For treatment systems which operate only in a "no discharge" mode, there shall be no discharge of pollutants to surface waters from these systems except in the case of a storm event which is greater than a 25 year-24 hour storm event. The operation of these systems shall not contravene the Water Quality Standards (9 VAC 25-260), as adopted and amended by the Board, or any provision of the State Water Control Law.

12. The permittee shall notify the department as soon as he knows or has reason to believe:

a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following notification levels:

(1) One hundred micrograms per liter (100 µg/l);
(2) Two hundred micrograms per liter (200 µg/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
(3) Five (5) times the maximum concentration value reported for that pollutant in the permit application; or
(4) The level established by the Board in accordance with 9 VAC 25-31-220 F.

b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following notification levels:

(1) Five hundred micrograms per liter (500 µg/l);
(2) One milligram per liter (1 mg/l) for antimony;
(3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application; or
(4) The level established by the Board in accordance with 9 VAC 25-31-220 F.

13. All settling basins, used for treatment and control of process wastewater and commingled storm water that were constructed on or after February 2, 1998, shall be lined with concrete or any other impermeable materials prior to commencing operation.

14. Treated wastewater may be used on site for the purposes of dust suppression. Dust suppression shall be carried out as a best management practice but not a wastewater disposal method. No ponding or surface runoff shall occur as a result of such activity.

15. Compliance reporting under Part I A

a. The quantification levels (QL) shall be as follows:

| Effluent Characteristic | Quantification Level |
|---|---|
| Chlorine | 0.1 mg/l |
| Ammonia-N | 0.2 mg/l |

b. Reporting

(1) Monthly Average. Compliance with the monthly average limitations and/or reporting requirements for the parameters listed in Part I A shall be determined as follows: All concentration data below the QL listed above shall be treated as zero. All concentration data equal to or above the QL listed above shall be treated as it is reported. An arithmetic average shall be calculated using all reported data, including the defined zeros, for the month. This arithmetic average shall be reported on the DMR as calculated. If all data are below the QL then the average shall be reported as "<QL". If reporting for quantity is required on the DMR and the calculated concentration is <QL then report "<QL" for the quantity otherwise use the calculated concentration.

(2) Daily Maximum. Compliance with the daily maximum limitations and/or reporting requirements for the parameters listed in Part I A shall be determined as follows: All concentration data below the QL listed in a. above shall be treated as zero. All concentration data equal to or above the QL shall be treated as reported. An arithmetic average of the values shall be calculated using all reported data, including the defined zeros, collected for each day during the reporting month. The maximum value of these daily averages thus determined shall be reported on the DMR as the Daily Maximum. If all data are below the QL then the average shall be reported as <QL. If reporting for quantity is required on the DMR and the calculated concentration is <QL then report "<QL" for the quantity otherwise use the calculated concentration.

(3) Any single datum required shall be reported as "<QL" if it is less than the QL listed in a. above. Otherwise the numerical value shall be reported.

## PART II
## STORM WATER MANAGEMENT

A. Recording of results

For each discharge measurement or sample taken pursuant to the storm event monitoring requirements of this permit, the permittee shall record and report with the Discharge Monitoring Reports (DMRs) the following information:

1. The date and duration (in hours) of the storm event(s) sampled;
2. The rainfall measurements or estimates (in inches) of the storm event which generated the sampled discharge; and
3. The duration between the storm event sampled and the end of the previous measurable (greater than 0.1 inch rainfall) storm event.

B. Representative discharge

When a facility has two or more exclusively storm water outfalls that, based on a consideration of industrial activity, significant materials, and management practices and activities within the area drained by the outfall, the permittee reasonably believes discharge substantially identical effluent, the permittee may test the effluent of one of such outfalls and include with the DMRs an explanation that the quantitative data also applies to the substantially identical outfalls provided that the permittee includes a description of the location of the outfalls and explains in detail why the outfalls are expected to discharge substantially identical effluent. In addition, for each exclusively storm water outfall that the permittee believes is representative, an estimate of the size of the drainage area (in square feet) and an estimate of the runoff coefficient of the drainage area (e.g. low (under 40 percent), medium (40 to 65 percent) or high (above 65 percent)) shall be provided.

C. Sampling waiver

When a permittee is unable to collect storm water samples required in Part I.A or other applicable sections of this permit within a specified sampling period due to adverse climatic conditions, the permittee shall collect a substitute sample from a separate qualifying event in the next period and submit these data along with the data for the routine sample in that period. Adverse weather conditions which may prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (drought, extended frozen conditions, etc.).

D. Quarterly visual examination of storm water quality

The permittee shall perform and document a visual examination of a storm water discharge associated with industrial activity from each outfall, except discharges exempted below. The visual examination(s) must be made during daylight hours (e.g., normal working hours), at least once in each of the following three-month periods: January through March, April through June, July through September, and October through December.

1. Examinations shall be made of samples collected within the first 30 minutes (or as soon thereafter as practical, but not to exceed 1 hour) of when the runoff or snowmelt begins discharging. The examination shall document observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution. The examination must be conducted in a well lit area. No analytical tests are required to be performed on the samples. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previous measurable (greater than 0.1 inch rainfall) storm event. The required 72-hour storm event interval is waived where the preceding measurable storm event did not result in a measurable discharge from the facility. The required 72-hour storm event interval may also be

waived where the permittee documents that less than a 72-hour interval is representative for local storm events during the season when sampling is being conducted. If no qualifying storm event resulted in discharge from the facility during a monitoring period, visual monitoring is exempted provided that the permittee document that no qualifying storm event occurred that resulted in storm water discharge during that quarter. Where practicable, the same individual should carry out the collection and examination of discharges for the entire permit term.

2. Visual examination reports must be maintained onsite with the pollution prevention plan. The report shall include the outfall location, the examination date and time, examination personnel, the nature of the discharge (i.e., runoff or snow melt), visual quality of the storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.

3. If the facility has two or more outfalls that, based on a consideration of industrial activity, significant materials, and management practices and activities within the area drained by the outfall, the permittee reasonably believes discharge substantially identical effluents, the permittee may collect a sample of effluent of one of such outfalls and report that the examination data also applies to the substantially identical outfall(s) provided that the permittee includes in the storm water pollution prevention plan a description of the location of the outfalls and explains in detail why the outfalls are expected to discharge substantially identical effluents. In addition, for each outfall that the permittee believes is representative, an estimate of the size of the drainage area (in square feet) and an estimate of the runoff coefficient of the drainage area (i.e., low (under 40 percent), medium (40 to 65 percent), or high (above 65 percent)) shall be provided in the plan.

4. When the permittee is unable to conduct the visual examination due to adverse climatic conditions, the permittee must document the reason for not performing the visual examination and retain this documentation onsite with the records of the visual examinations. Adverse weather conditions that may prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (drought, extended frozen conditions, etc.).

E. Allowable nonstorm water discharges

1. The following nonstorm water discharges are authorized by this permit provided the nonstorm water component of the discharge is in compliance with Part II E 2 below.

a. Discharges from fire fighting activities;

b. Fire hydrant flushings;

c. Potable water including water line flushings;

d. Uncontaminated air conditioning or compressor condensate;

e. Irrigation drainage;

f. Landscape watering provided all pesticides, herbicides, and fertilizer have been applied in accordance with manufacturer's instructions;

g. Pavement wash waters where no detergents are used and no spills or leaks of toxic or hazardous materials have occurred (unless all spilled material has been removed);

h. Routine external building wash down which does not use detergents;

i. Uncontaminated ground water or spring water;

j. Foundation or footing drains where flows are not contaminated with process materials such as solvents;

k. Incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of the facility, but NOT intentional discharges from the cooling tower (e.g., "piped" cooling tower blowdown or drains).

2. Except for flows from fire fighting activities, the Storm Water Pollution Prevention Plan must include:

a. Identification of each allowable non-storm water source;

b. The location where it is likely to be discharged; and

c. Descriptions of appropriate BMPs for each source.

3. If mist blown from cooling towers is included as one of the allowable non-storm water discharges, the facility must specifically evaluate the potential for the discharges to be contaminated by chemicals used in the cooling tower. The permittee must determine that the levels of such chemicals in the discharges will not cause or contribute to a violation of an applicable water quality standard after implementation of the BMPs selected to control such discharges.

F. Releases of hazardous substances or oil in excess of reportable quantities

The discharge of hazardous substances or oil in the storm water discharge(s) from this facility shall be prevented or minimized in accordance with the applicable storm water pollution prevention plan for the facility. This permit does not authorize the discharge of hazardous substances or oil resulting from an onsite spill. Where a release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 CFR 110 (1998), 40 CFR 117 (1998) or 40 CFR 302 (1998) occurs during a 24 hour period, the permittee is required to notify the Department in accordance with the requirements of Part III G as soon as he or she has knowledge of the discharge. Where a release enters a municipal separate storm sewer system (MS4), the permittee shall also notify the owner of the MS4. In addition, the storm water pollution prevention plan required by this permit must be reviewed to identify measures to prevent the reoccurrence of such releases and to respond to such releases, and the plan must be modified where appropriate. This permit does not relieve the permittee of the reporting requirements of 40 CFR 110 (1998), 40 CFR 117 (1998) and 40 CFR 302 (1998) or § 62.1-44.34:19 of the Code of Virginia.

G. Storm water pollution prevention plans

A storm water pollution prevention plan is required to be developed for the facility. The plan shall be prepared in accordance with good engineering practices, and shall identify potential sources of pollution which may reasonably be expected to affect the quality of storm water discharges associated with industrial activity from the facility. In addition, the plan shall describe and ensure the implementation of practices which are to be used to reduce the pollutants in storm water discharges associated with industrial activity at the facility and to assure compliance with the terms and conditions of this permit. Permittees must implement the provisions of the storm water pollution prevention plan as a condition of this permit.

The storm water pollution prevention plan requirements of this permit may be fulfilled by incorporating by reference other plans or documents such as an erosion and sediment control plan, a spill prevention control and countermeasure (SPCC) plan developed for the facility under Section 311 of the Clean Water Act or best management practices (BMP) programs otherwise required for the facility provided that the incorporated plan meets or exceeds the plan requirements of Part II G 4. If an erosion and sediment control plan is being incorporated by reference, it shall have been approved by the locality in which the activity is to occur or by another appropriate plan approving authority authorized under the Virginia Erosion and Sediment Control Regulation 4 VAC 50-30-10 et seq. All plans incorporated by reference into the storm water pollution prevention plan become enforceable under this permit.

1. Deadlines for plan preparation and compliance

a. For a storm water discharge associated with industrial activity that is existing on or before the effective date of this permit, the storm water pollution prevention plan shall be prepared and implemented as expeditiously as practicable, but not later than 270 days from the date of coverage under this permit. For a facility that was covered by the

previous permit, a storm water pollution prevention plan was required to be developed and implemented for that facility. Within 120 days after the date of coverage under this permit, the existing storm water pollution prevention plan shall be reviewed and modified, as appropriate, to conform to the requirements of this permit. The existing storm water pollution prevention plans shall continue to be implemented until a new plan, if required, is developed and implemented.

b. The plan for any facility where industrial activity commences after the effective date of this permit, and except as provided elsewhere in this permit, shall be prepared, implemented and provide for compliance with the terms of the plan and this permit on or before the date of submission of a Registration Statement to be covered under this permit.

c. In cases where construction is necessary to implement measures required by the plan, the plan shall contain a schedule that provides compliance with the plan as expeditiously as practicable, but no later than 3 years from the date of coverage under this permit. Where a construction compliance schedule is included in the plan, the schedule shall include appropriate nonstructural and/or temporary controls to be implemented in the affected portion(s) of the facility prior to completion of the permanent control measure.

2. Signature and plan review

a. The plan shall be signed in accordance with Part III K, and be retained on-site at the facility covered by this permit in accordance with Part III B.

b. The permittee shall make the storm water pollution prevention plan, annual site compliance inspection report, or other information available to the department upon request.

c. The director, or his designee, may notify the permittee in writing at any time that the plan does not meet one or more of the minimum requirements of this part. Such notification shall identify those provisions of the permit which are not being met by the plan, and identify which provisions of the plan require modifications in order to meet the minimum requirements of this part. Within 60 days of such notification from the director, or as otherwise provided by the director, the permittee shall make the required changes to the plan and shall submit to the Department a written certification that the requested changes have been made.

3. Keeping plans current

The permittee shall amend the plan whenever there is a change in design, construction, operation, or maintenance, which has a significant effect on the potential for the discharge of pollutants to surface waters of the state or if the storm water pollution prevention plan proves to be ineffective in eliminating or significantly minimizing pollutants from sources identified under Part II G 4 b of this permit, or in otherwise achieving the general objectives of controlling pollutants in storm water discharges associated with industrial activity.

4. Contents of plan

The plan shall include, at a minimum, the following items:

a. Pollution prevention team. Each plan shall identify a specific individual or individuals within the facility organization as members of a storm water pollution prevention team that are responsible for developing the storm water pollution prevention plan and assisting the facility or plant manager in its implementation, maintenance, and revision. The plan shall clearly identify the responsibilities of each team member. The activities and responsibilities of the team shall address all aspects of the facility's storm water pollution prevention plan.

b. Description of potential pollutant sources. Each plan shall provide a description of potential sources which may reasonably be expected to add significant amounts of pollutants to storm water discharges or which may result in the discharge of pollutants during dry weather from separate storm sewers draining the facility. Each plan shall identify all activities and significant materials which may potentially be significant pollutant sources. Each plan shall include, at a minimum:

(1) Drainage. A site map indicating an outline of the portions of the drainage area of each storm water outfall that are within the facility boundaries, each existing structural control measure to reduce pollutants in storm water runoff, surface water bodies, locations where significant materials are exposed to precipitation, locations where major spills or leaks identified under Part II G 4 b (3) have occurred, and the locations of the following activities, as applicable: fueling stations, vehicle and equipment maintenance and/or cleaning areas, loading/unloading areas, bag house or other dust control device, recycle/sedimentation pond, clarifier or other device used for the treatment of process wastewater, and the areas that drain to the treatment device, locations used for the storage or disposal of wastes, liquid storage tanks, processing areas and storage areas. The map must indicate the outfall locations and the types of discharges contained in the drainage areas of the outfalls; and for each area of the facility that generates storm water discharges associated with industrial activity with a reasonable potential for containing significant amounts of pollutants, a prediction of the direction of flow, and an identification of the types of pollutants which are likely to be present in storm water discharges associated with industrial activity. Factors to consider include the toxicity of the chemicals; quantity of chemicals used, produced or discharged; the likelihood of contact with storm water; and history of significant leaks or spills of toxic or hazardous pollutants. Flows with a significant potential for causing erosion shall be identified.

(2) Inventory of exposed materials. An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of three years prior to the date of coverage under this general permit and the present; method and location of on-site storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of three years prior to the date of coverage under this general permit and the present; the location and a description of existing structural and non-structural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives.

(3) Spills and leaks. A list of significant spills and significant leaks of toxic or hazardous pollutants that occurred at areas that are exposed to precipitation or that otherwise drain to a storm water conveyance at the facility after the date of three years prior to the date of coverage under this general permit. Such list shall be updated as appropriate during the term of the permit.

(4) Sampling data. A summary of existing discharge sampling data describing pollutants in storm water discharges from the facility, including a summary of sampling data collected during the term of this permit.

(5) Risk identification and summary of potential pollutant sources. A narrative description of the potential pollutant sources from the following activities: loading and unloading operations; outdoor storage activities; outdoor manufacturing or processing activities; significant dust or particulate generating processes; and on-site waste disposal practices. The description shall specifically list any significant potential source of pollutants at the site and for each potential

source, any pollutant or pollutant parameter (e.g. biochemical oxygen demand, etc.) of concern shall be identified.

c. Measures and controls. Each facility covered by this permit shall develop a description of storm water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls:

(1) Good housekeeping. Good housekeeping requires the clean and orderly maintenance of areas that may contribute pollutants to storm water discharges. Particular attention should be paid to areas where raw materials are stockpiled, material handling areas, storage areas, liquid storage tanks, material handling areas, and loading/unloading areas. The plan shall describe procedures performed to minimize the discharge of: spilled cement, aggregate (including sand and gravel), fly ash, settled dust, or other significant material in storm water from paved portions of the site that are exposed to storm water. Regular sweeping or other equivalent measures to minimize the presence of these materials shall be employed. The frequency of sweeping or equivalent measures shall be specified in the plan based upon a consideration of the amount of industrial activity occurring in the area and the frequency of precipitation, but it shall be a minimum of once a week if cement, aggregate, kiln dust, fly ash or settled dust are being handled/processed. Where practicable, efforts must be made to prevent the exposure of fine granular solids (cement, fly ash, etc.) to storm water by storing these materials in enclosed silos/hoppers, buildings or under other covering.

(2) Preventive maintenance. A preventive maintenance program shall involve: timely inspection and maintenance of storm water management devices (e.g. cleaning oil/water separators, catch basins); inspecting and testing facility equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters; and appropriate maintenance of such equipment and systems.

(3) Spill prevention and response procedures. Areas where potential spills which can contribute pollutants to storm water discharges can occur, and their accompanying drainage points shall be identified clearly in the storm water pollution prevention plan. Where appropriate, specifying material handling procedures, storage requirements, and use of equipment such as diversion valves in the plan should be considered. Procedures for cleaning up spills shall be identified in the plan and made available to the appropriate personnel. The necessary equipment to implement a clean up should be available to personnel.

(4) Routine facility inspections. Facility personnel who are familiar with the industrial activity, the BMPs and the storm water pollution prevention plan shall be identified to inspect designated equipment and areas of the facility. Inspections shall be conducted while the facility is in operation and include, but are not limited to, the following areas exposed to storm water: material handling areas, above ground storage tanks, hoppers or silos, dust collection/containment systems, and truck wash down/equipment cleaning areas. The inspection frequency shall be specified in the plan based upon a consideration of the level of industrial activity at the facility, but it shall be a minimum of quarterly unless more frequent intervals are specified elsewhere in the permit. A set of tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections shall be maintained with the pollution prevention plan.

(5) Employee training. Employee training programs shall inform personnel responsible for implementing activities identified in the storm water pollution

prevention plan or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the storm water pollution prevention plan. Training should address topics such as spill response, good housekeeping and material management practices. A pollution prevention plan shall identify periodic dates for such training.

(6) Recordkeeping and internal reporting procedures. A description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of storm water discharges shall be included in the plan. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan.

(7) Sediment and erosion control. The plan shall identify areas which, due to topography, activities, or other factors, have a high potential for significant soil erosion, and identify structural, vegetative, and/or stabilization measures to be used to limit erosion.

(8) Management of runoff. The plan shall contain a narrative consideration of the appropriateness of traditional storm water management practices (practices other than those which control the generation or source(s) of pollutants) used to divert, infiltrate, reuse, or otherwise manage storm water runoff in a manner that reduces pollutants in storm water discharges from the site. The plan shall provide that measures that the permittee determines to be reasonable and appropriate shall be implemented and maintained. The potential of various sources at the facility to contribute pollutants to storm water discharges associated with industrial activity shall be considered when determining reasonable and appropriate measures. Appropriate measures may include: vegetative swales and practices, reuse of collected storm water (such as for a process or as an irrigation source), inlet controls (such as oil/water separators), snow management activities, infiltration devices, wet detention/retention devices; or other equivalent measures.

d. Comprehensive site compliance evaluation. Qualified facility personnel who are familiar with the industrial activity, the BMPs and the storm water pollution prevention plan shall conduct site compliance evaluations at appropriate intervals specified in the plan, but in no case less than once a year. Such evaluations shall include the following:

(1) Areas contributing to a storm water discharge associated with industrial activity shall be visually inspected for evidence of, or the potential for, pollutants entering the drainage system. Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed. Structural storm water management measures, sediment and erosion control measures, and other structural pollution prevention measures identified in the plan shall be observed to ensure that they are operating correctly. A visual inspection of equipment needed to implement the plan, such as spill response equipment, shall be made.

(2) Based on the results of the evaluation, the description of potential pollutant sources identified in the plan in accordance with Part II G 4 b and pollution prevention measures and controls identified in the plan in accordance with Part II G 4 c shall be revised as appropriate within 2 weeks of such evaluation and shall provide for implementation of any changes to the plan in a timely manner, but in no case more than 12 weeks after the evaluation.

(3) A report summarizing the scope of the inspection, personnel making the inspection, the date(s) of the inspection, major observations relating to the implementation of the storm water pollution prevention plan, and actions taken in accordance with Part II G 4 d shall be made and retained as part of the storm water pollution prevention plan as required in Part III B. The report shall identify any incidents of noncompliance. Where a report does not identify any

incidents of noncompliance, the report shall contain a certification that the facility is in compliance with the storm water pollution prevention plan and this permit. The report shall be signed in accordance with Part III K.

. (4) Where compliance evaluation schedules overlap with inspections required under Part II G 4 c (4), the compliance evaluation may be conducted in place of one such inspection.

5. Special pollution prevention plan requirements

a. Additional requirements for storm water discharges associated with industrial activity from facilities subject to section 313 of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) reporting requirements. Potential pollutant sources for which the facility has reporting requirements under EPCRA 313 must be identified in the summary of potential pollutant sources as per Part II G.4.b.

b. Additional requirements for salt storage. Storage piles of salt used for deicing or other commercial or industrial purposes must be enclosed or covered to prevent exposure to precipitation (except for exposure resulting from adding or removing materials from the pile). Piles do not need to be enclosed or covered where storm water from the pile is not discharged to surface waters or the discharges from the piles are authorized under another permit.

## PART III
## CONDITIONS APPLICABLE TO ALL VPDES PERMITS

A. Monitoring

1. Samples and measurements taken as required by this permit shall be representative of the monitored activity.

2. Monitoring shall be conducted according to procedures approved under 40 CFR Part 136 or alternative methods approved by the U.S. Environmental Protection Agency, unless other procedures have been specified in this permit.

3. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals that will insure accuracy of measurements.

B. Records

1. Records of monitoring information shall include:
   a. The date, exact place, and time of sampling or measurements;
   b. The individual(s) who performed the sampling or measurements;
   c. The date(s) and time(s) analyses were performed;
   d. The individual(s) who performed the analyses;
   e. The analytical techniques or methods used; and
   f. The results of such analyses.

2. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years, the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the registration statement for this permit, for a period of at least 3 years from the date of the sample, measurement, report or request for coverage. This period of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the permittee, or as requested by the Board.

C. Reporting monitoring results

1. The permittee shall submit the results of the monitoring required by this permit not later than the 10th day of the month after monitoring takes place, unless another reporting schedule is specified elsewhere in this permit. Monitoring results shall be submitted to the department's regional office.
2. Monitoring results shall be reported on a Discharge Monitoring Report (DMR) or on forms provided, approved or specified by the department.
3. If the permittee monitors any pollutant specifically addressed by this permit more frequently than required by this permit using test procedures approved under 40 CFR Part 136 or using other test procedures approved by the U.S. Environmental Protection Agency or using procedures specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or reporting form specified by the department.
4. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.

D. Duty to provide information

The permittee shall furnish to the department, within a reasonable time, any information which the Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The board may require the permittee to furnish, upon request, such plans, specifications, and other pertinent information as may be necessary to determine the effect of the wastes from his discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of the State Water Control Law. The permittee shall also furnish to the department upon request, copies of records required to be kept by this permit.

E. Compliance schedule reports

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

F. Unauthorized discharges

Except in compliance with this permit, or another permit issued by the board, it shall be unlawful for any person to:

1. Discharge into state waters sewage, industrial wastes, other wastes, or any noxious or eleterious substances; or
2. Otherwise alter the physical, chemical or biological properties of such state waters and make them detrimental to the public health, or to animal or aquatic life, or to the use of such waters for domestic or industrial consumption, or for recreation, or for other uses.

G. Reports of unauthorized discharges

Any permittee who discharges or causes or allows a discharge of sewage, industrial waste, other wastes or any noxious or deleterious substance into or upon state waters in violation of Part III F; or who discharges or causes or allows a discharge that may reasonably be expected to enter state waters in violation of Part III F, shall notify the department of the discharge immediately upon discovery of the discharge, but in no case later than 24 hours after said discovery. A written report of the unauthorized discharge shall be submitted to the department, within five days of discovery of the discharge. The written report shall contain:

1. A description of the nature and location of the discharge;
2. The cause of the discharge;
3. The date on which the discharge occurred;
4. The length of time that the discharge continued;
5. The volume of the discharge;
6. If the discharge is continuing, how long it is expected to continue;
7. If the discharge is continuing, what the expected total volume of the discharge will be; and
8. Any steps planned or taken to reduce, eliminate and prevent a recurrence of the present discharge or any future discharges not authorized by this permit.

Discharges reportable to the department under the immediate reporting requirements of other regulations are exempted from this requirement.

H. Reports of unusual or extraordinary discharges

If any unusual or extraordinary discharge including a bypass or upset should occur from a treatment works and the discharge enters or could be expected to enter state waters, the permittee shall promptly notify, in no case later than 24 hours, the department by telephone after the discovery of the discharge. This notification shall provide all available details of the incident, including any adverse affects on aquatic life and the known number of fish killed. The permittee shall reduce the report to writing and shall submit it to the department within five days of discovery of the discharge in accordance with Part III I 2. Unusual and extraordinary discharges include but are not limited to any discharge resulting from:

1. Unusual spillage of materials resulting directly or indirectly from processing operations;
2. Breakdown of processing or accessory equipment;
3. Failure or taking out of service some or all of the treatment works; and
4. Flooding or other acts of nature.

I. Reports of noncompliance

The permittee shall report any noncompliance which may adversely affect state waters or may endanger public health.

1. An oral report shall be provided within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information which shall be reported within 24 hours under this paragraph:
   a. Any unanticipated bypass; and
   b. Any upset which causes a discharge to surface waters.
2. A written report shall be submitted within 5 days and shall contain:
   a. A description of the noncompliance and its cause;
   b. The period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and
   c. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

   The board may waive the written report on a case-by-case basis for reports of noncompliance under Part III I if the oral report has been received within 24 hours and no adverse impact on state waters has been reported.
3. The permittee shall report all instances of noncompliance not reported under Parts III I 1 or 2, in writing, at the time the next monitoring reports are submitted. The reports shall contain the information listed in Part III I 2.

NOTE: The immediate (within 24 hours) reports required in Parts III G, H and I may be made to the department's regional office by telephone or by fax. For reports outside normal working hours, leave a message and this shall fulfill the immediate reporting requirement. For emergencies, the Virginia Department of Emergency Services maintains a 24 hour telephone service at 1-800-468-8892.

J. Notice of planned changes

1. The permittee shall give notice to the department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

a. The permittee plans alteration or addition to any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced:

(1) After promulgation of standards of performance under § 306 of Clean Water Act which are applicable to such source; or

(2) After proposal of standards of performance in accordance with § 306 of Clean Water Act which are applicable to such source, but only if the standards are promulgated in accordance with § 306 within 120 days of their proposal;

b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations nor to notification requirements specified elsewhere in this permit; or

c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.

2. The permittee shall give advance notice to the department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

K. Signatory requirements

1. Registration statements. All registration statements shall be signed as follows:

a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

c. For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a public agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

2. Reports, etc. All reports required by permits, and other information requested by the board shall be signed by a person described in Part III K 1, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

a. The authorization is made in writing by a person described in Part III K 1;

b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.); and

c. The written authorization is submitted to the department.

3. Changes to authorization. If an authorization under Part III K 2 is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part III K 2 shall be submitted to the department prior to or together with any reports, or information to be signed by an authorized representative.

4. Certification. Any person signing a document under Parts III K 1 or 2 shall make the following certification:

> "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

L. Duty to Comply

The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the State Water Control Law and the Clean Water Act, except that noncompliance with certain provisions of this permit may constitute a violation of the State Water Control Law but not the Clean Water Act. Permit noncompliance is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

The permittee shall comply with effluent standards or prohibitions established under §307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under §405(d) of the Clean Water Act within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if this permit has not yet been modified to incorporate the requirement.

M. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee shall apply for and obtain a new permit. All permittees with a currently effective permit shall submit a new application at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the Board. The Board shall not grant permission for applications to be submitted later than the expiration date of the existing permit.

N. Effect of a Permit

This permit does not convey any property rights in either real or personal property or any exclusive privileges, nor does it authorize any injury to private property or invasion of personal rights, or any infringement of federal, state or local law or regulations.

O. State Law

Nothing in this permit shall be construed to preclude the institution of any legal action under, or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any other state law or regulation or under authority preserved by §510 of the Clean Water Act. Except as provided in permit conditions on "bypassing" (Part III U), and "upset" (Part III V) nothing in this permit shall be construed to relieve the permittee from civil and criminal penalties for noncompliance.

P. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under §§62.1-44.34:14 through 62.1-44.34:23 of the State Water Control Law.

Q. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes effective plant performance, adequate funding, adequate staffing, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

R. Disposal of solids or sludges

Solids, sludges or other pollutants removed in the course of treatment or management of pollutants shall be disposed of in a manner so as to prevent any pollutant from such materials from entering state waters.

S. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

T. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

U. Bypass

1. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Parts III U 2 and U 3.

2. Notice

a. Anticipated bypass. If the permittee knows in advance of the need for a bypass, prior notice shall be submitted, if possible at least ten days before the date of the bypass.

b. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Part III I.

3. Prohibition of bypass.

a. Bypass is prohibited, and the board may take enforcement action against a permittee for bypass, unless:

(1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

(3) The permittee submitted notices as required under Part III U 2.

b. The board may approve an anticipated bypass, after considering its adverse effects, if the board determines that it will meet the three conditions listed above in Part III U 3 a.

V. Upset

1. An upset constitutes an affirmative defense to an action brought for noncompliance with technology based permit effluent limitations if the requirements of Part III V 2 are met. A determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is not a final administrative action subject to judicial review.

2. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

a. An upset occurred and that the permittee can identify the cause(s) of the upset;

b. The permitted facility was at the time being properly operated;

c. The permittee submitted notice of the upset as required in Part III I; and

d. The permittee complied with any remedial measures required under Part III S.

3. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

W. Inspection and Entry

The permittee shall allow the director, or his designee, upon presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;

2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act and the State Water Control Law, any substances or parameters at any location.

For purposes of this section, the time for inspection shall be deemed reasonable during regular business hours, and whenever the facility is discharging. Nothing contained herein shall make an inspection unreasonable during an emergency.

X. Permit Actions

Permits may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Y. Transfer of permits

1. Permits are not transferable to any person except after notice to the department. Except as provided in Part III Y 2, a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued, or a minor modification made, to identify the new permittee and incorporate such other requirements as may be necessary under the State Water Control Law and the Clean Water Act.

2. As an alternative to transfers under Part III Y 1, this permit may be automatically transferred to a new permittee if:

a. The current permittee notifies the department at least 30 days in advance of the proposed transfer of the title to the facility or property;

b. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and

c. The board does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in Part III Y 2 b.

Z. Severability

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

**9 VAC 25-193-80 (Repealed.)**

Attachment B

General Permit Fact Sheet

# FACT SHEET

## REISSUANCE OF A GENERAL VPDES PERMIT FOR READY-MIXED CONCRETE PLANTS

The Virginia State Water Control Board has under consideration the reissuance of a general VPDES permit for point source discharges from the ready-mixed concrete industrial category to surface waters.

| | |
|---|---|
| Permit Number: | VAG11 |
| Name of Permittee: | Any owner of a ready-mixed concrete plant in the Commonwealth of Virginia agreeing to be regulated under the terms of this general permit. |
| Facility Location: | Commonwealth of Virginia |
| Receiving Stream: | Surface waters within the boundaries of the Commonwealth of Virginia, except those specifically named in Board Regulations and Policies which prohibit such discharges. Discharge to surface waters may be through a municipal separate storm sewer system. |

The State Water Control Board adopted the general VPDES permit on June 19, 2003, with an effective date of October 1, 2003. The Department of Environmental Quality has determined that this category of discharges is appropriately controlled under a general permit. The category of discharges to be included involves facilities with the same or similar types of operations and the facilities discharge the same or similar types of wastes. The draft general permit requires that all covered facilities meet standardized effluent limitations and monitoring requirements and that all covered facilities develop a site-specific storm water pollution prevention plan.

All pertinent information is on file and may be inspected, and arrangements made for copying by contacting Lily Choi at:

Virginia Department of Environmental Quality
P.O. Box 10009
Richmond, Virginia 23240
TEL: (804) 698-4054
FAX: (804) 698-4032
E-mail: ychoi@deq.state.va.us

Activities Covered by this General Permit and Process Descriptions

This general permit will cover point source discharges of storm water runoff and process wastewaters associated with the operation of ready-mixed concrete plants where the primary industrial activity is classified as Standard Industrial Classification (SIC) Code 3273. This general permit does not exclude the coverage for a ready-mixed concrete plant with a secondary industrial activity collocated on site as long as the secondary activity does not generate any point source discharges. Coverage includes ready-mixed concrete production facilities, temporary ready-mixed plants erected on or near construction sites, vehicle/equipment maintenance activities at ready-mixed plants, waste concrete reclamation, cement and aggregate unloading by rail and barge at ready-mixed plants, and road salt storage.

Ready-mixed concrete is basically produced by two methods: dry batch mixing and central mixing. For dry batch mixing, the mix of cement and aggregate is weighed and transferred in a dry state to the truck along with a proportioned amount of water. The concrete is mixed in the truck on the way to the job. For

central mixing, the concrete is prepared in a central mixer then transferred to a truck mixer or agitator for delivery.

In addition to cement, fly ash and aggregate, ready-mixed concrete typically contains admixtures and entrained air. Entrained air improves resistance to freezing and thawing. Admixtures may include calcium chloride, triethanolamine, calcium salt, lignosulfunic acid, vinosol, saponin, keratin, sulfonated hydrocarbon, fatty acid glyceride, vinyl acetate, and styrene copolymer of vinyl acetate as ingredients. These compounds may be added to obtain desired characteristics, such as slower or more rapid curing times.

Generally, there are two types of ready-mixed concrete plants: permanent (also known as stationary) and temporary which are usually portable. A permanent plant usually produces various types of concrete for numerous customers. The permanent plant may operate either as a dry batch mixing plant or central mixing plant. A large facility may even consist of both processes. Portable plants are used on large highway and airport paving jobs. These plants can operate using either dry batch mixing or central mixing. Portable plants have the same significant materials and industrial activities as permanent facilities. Therefore, portable plants are covered under this general permit.

Sources of Discharge and Treatment Employed

The wastewater discharge from ready-mixed concrete plants includes truck washout, truck wash-off, central mixer washout, storm water runoff, and noncontact cooling water from geothermal system or other such systems.

Process wastewater is generated by the cleaning of trucks and equipment that come in contact with cement and "wet" concrete. Trucks are usually washed on the outside after they are loaded with fresh concrete, before leaving the plant. They are also washed inside and out at the end of the day. Washing down of areas where this cleaning takes place also generates process wastewater. Process wastewater can also be generated from engine steam cleaning in the vehicle/equipment maintenance shop. Discharges of process wastewater may contain some storm water associated with industrial activity which has come in contact with raw material stockpiles, dried waste concrete, or vehicle parking or maintenance areas. The storm water can be contaminated at the truck loading site and at the truck washing area.

Treatment or control of process wastewater and commingled storm water usually consists of settling basins to reduce the solids content and acid addition to neutralize the high pH of the wastewater. Solids removal may be accomplished through a series of settling ponds or sloped slab separation basins. Mechanical clarification devices such as screw washers are used by some facilities to recover coarse aggregate and sand for reuse. The clarified wastewater may be completely or partially recycled and reused. When discharge is necessary, pH neutralization often is required prior to discharge. Mode of discharge can be batch or continuous.

Another source of wastewater at ready-mixed concrete plants is noncontact cooling water from a geothermal system or other such systems. This water may be from a groundwater well or potable water supply. The water is used to raise the temperature of concrete make up water in winter and lower it in summer. The temperature control system operates so that the cooling water does not come in direct contact with the concrete or the raw materials. Once the heat transfer has taken place, the water may be discharged or returned to the system for recycle. Noncontact cooling water may be commingled with process wastewater or discharged through a separate outfall. At the time of reissuance, it is believed that very few, if there is any, facilities currently employ such system to adjust the temperatures of concrete make up water.

Storm water associated with industrial activity that is not combined with process wastewater or noncontact cooling water may be discharged from ready-mixed concrete plants. This storm water may

have come in contact with or been exposed to raw material (sand, gravel or stone) stockpiles, dried waste concrete, or vehicle parking or maintenance areas. Fugitive dust is prevalent on the grounds at concrete plants. Shrouds and vacuum recovery units are used to minimize dust releases at concrete mixing and truck loading locations. Cement and aggregate unloading from railroad cars, trucks or barges is another potential source of contamination for storm water. No treatment is normally employed prior to such discharge. Some facilities store the storm water in a retention pond and operate the basin in a "no-discharge" mode. The water collected in the retention pond either evaporates, infiltrates, or is used as process water on site.

Proposed Effluent Limitations and Monitoring Requirements

**A. Discharge of process wastewater which may contain input from the vehicle/equipment maintenance activities, and may be commingled with noncontact cooling water or storm water runoff:**

| Parameter | Limitation |
|---|---|
| Flow | No limit, estimate and report average and maximum values |
| Total Suspended Solids | 30 mg/l avg, 60 mg/l max. |
| pH | 6.0 minimum, 9.0 maximum(1) |
| Total Petroleum Hydrocarbons(2) | 15 mg/l maximum |
| Total Residual Chlorine(3) | 0.016 mg/l, avg. and max. |
| Ammonia-N(3) | No limit, report maximum value |
| Temperature(4) | Maximum(5) |

(1) Where the Water Quality Standards (9 VAC 25-260) establish alternate standards for pH in the waters receiving the discharge, those standards shall be the maximum and minimum effluent limitations.

(2) Total Petroleum Hydrocarbons limitation and monitoring are only required where a discharge contains process wastewater generated from the vehicle/equipment maintenance activities. Total Petroleum Hydrocarbons shall be analyzed using the Wisconsin Department of Natural Resources Modified Diesel Range Organics Method as specified in Wisconsin publication SW-141 (1995), or by EPA SW-846 Method 8015B (1996) for diesel range organics, or by EPA SW-846 Method 8270C (1996). If Method 8270C is used, the lab must report the combination of diesel range organics and polynuclear aromatic hydrocarbons.

(3) Chlorine limitation, and chlorine and ammonia monitoring are only required where a discharge includes cooling water that is chlorinated or contains chloramines. Ammonia monitoring applies only where the source of cooling water is disinfected using chloramines.

(4) Temperature limitation and monitoring are only required where a discharge contains cooling water.

(5) The effluent temperature shall not exceed a maximum 32 $^{o}$C for discharges to non-tidal coastal and piedmont waters, 31 $^{o}$C for mountain and upper piedmont waters, 21 $^{o}$C for put and take trout waters, or 20 $^{o}$C for natural trout waters. No maximum temperature limit applies to discharges to estuarine waters.

For estuarine waters, non-tidal coastal and piedmont waters, mountain and upper piedmont waters, and put and take trout waters, the effluent shall not cause an increase in temperature of the receiving stream of more than 3$^{o}$C above the natural water temperature. For natural trout waters, the temperature of the effluent shall not cause an increase of 1 $^{o}$C above natural

water temperature. The effluent shall not cause the temperature in the receiving stream to change more than 2 °C per hour, except in the case of natural trout waters where the hourly temperature change shall not exceed 0.5 °C.

Natural temperature is defined as that temperature of a body of water (measured as the arithmetic average over one hour) due solely to natural conditions without the influence of any point-source discharge.

Except for TPH, for a facility that was covered by the previous general permit, and reduced monitoring was granted and compliance demonstrated, monitoring frequency shall be 1/quarter. In all other cases, monitoring shall be once per month for the first year of permit coverage. If the first year results demonstrate full compliance, monitoring will be reduced to once per quarter. Should the permittee be issued a Warning Letter related to violation of effluent limitations, a Notice of Violation, or be the subject of an active enforcement action, monitoring frequency shall revert to 1/month, upon issuance of the letter or notice or initiation of the enforcement action, and remain in effect until the permit's expiration date. For TPH, monitoring is required for once per 3 months. All samples are collected by grab, except for temperature, by immersion/stabilization.

**B. Discharge of noncontact cooling water:**

| Parameter | Limitation |
|---|---|
| Flow | No limit, estimate and report average and maximum values |
| pH | 6.0 minimum, 9.0 maximum(1) |
| Total Residual Chlorine(2) | 0.016 mg/l avg. and max. |
| Ammonia-N(2) | No limit, report maximum value |
| Temperature | Maximum(3) |

(1) Where the Water Quality Standards (9 VAC 25-260) establish alternate standards for pH in the waters receiving the discharge, those standards shall be the maximum and minimum effluent limitations.

(2) Chlorine limitation and monitoring are only required where the source of cooling water is chlorinated. Ammonia monitoring applies only where the source of cooling water is disinfected using chloramines.

(3) The effluent temperature shall not exceed a maximum 32 °C for discharges to non-tidal coastal and piedmont waters, 31 °C for mountain and upper piedmont waters, 21 °C for put and take trout waters, or 20 °C for natural trout waters. No maximum temperature limit applies to discharges to estuarine waters.

For estuarine waters, non-tidal coastal and piedmont waters, mountain and upper piedmont waters, and put and take trout waters, the effluent shall not cause an increase in temperature of the receiving stream of more than 3°C above the natural water temperature. For natural trout waters, the temperature of the effluent shall not cause an increase of 1 °C above natural water temperature. The effluent shall not cause the temperature in the receiving stream to change more than 2 °C per hour, except in the case of natural trout waters where the hourly temperature change shall not exceed 0.5 °C.

Natural temperature is defined as that temperature of a body of water (measured as the arithmetic average over one hour) due solely to natural conditions without the influence of any point-source discharge.

For a facility that was covered by the previous general permit, and reduced monitoring was granted and compliance demonstrated, monitoring frequency shall be 1/quarter. In all other cases, monitoring shall be once per month for the first year of permit coverage. If the first year results demonstrate full compliance, monitoring will be reduced to once per quarter. Should the permittee be issued a Warning Letter related to violation of effluent limitations, a Notice of Violation, or be the subject of an active enforcement action, monitoring frequency shall revert to 1/month, upon issuance of the letter or notice or initiation of the enforcement action, and remain in effect until the permit's expiration date. All samples are collected by grab, except for temperature, by immersion/stabilization.

**C. Discharge of storm water which does not combine with other process wastewaters or noncontact cooling water:**

| Parameter | Limitation |
|---|---|
| Flow | No limit, estimate volume discharged during entire monitored storm event |
| Total Petroleum Hydrocarbons(1) | No limit, report maximum value |
| Total Suspended Solids | No limit, report maximum value |
| Total Recoverable Iron | No limit, report maximum value |
| pH | No limit, report maximum & minimum values |

(1) Total Petroleum Hydrocarbons shall be analyzed using the Wisconsin Department of Natural Resources Modified Diesel Range Organics Method as specified in Wisconsin publication SW-141 (1995), or by EPA SW-846 Method 8015B (1996) for diesel range organics, or by EPA SW-846 Method 8270C (1996). If Method 8270C is used, the lab must report the combination of diesel range organics and polynuclear aromatic hydrocarbons.

Monitoring is required once per year by grab sample, collected during the first thirty minutes of the discharge. If during the first thirty minutes it was impracticable, then a grab sample shall be taken during the first hour of discharge.

Guidance on the conduct of storm water sampling is provided by the EPA in the document titled NPDES Storm Water Sampling Guidance Document, publication number EPA 833-B-92-001, July 1992.

Samples taken in compliance with the monitoring requirements specified above (A, B, and C) shall be taken at the outfall location(s) identified in the approved registration statement. In the cases where discharges to surface waters are through the municipal separate storm sewer systems, samples should be taken at the point where the discharge enters the municipal separate storm sewer system.

Basis for Proposed Effluent Limitations and Monitoring Requirements

**A. Discharge of process wastewater which may contain input from vehicle/equipment maintenance activities, and may be commingled with noncontact cooling water or storm water runoff**

The discharges of process wastewater, noncontact cooling water, and commingled storm water which are not recycled are controlled by limitations in this general permit. The volume of wastewater discharged from ready-mixed concrete plants is relatively low. According to flow estimates reported on Discharge Monitoring Reports (DMRs) submitted by holders of individual permits in the ready-mixed concrete category, effluent flow volumes average 15,060 gallons per day. Over 95% of the flow values reported were less than 100,000 gallons per day.

The draft permit retains the monitoring requirements of the previous permit. The parameters to be limited in process wastewater discharges are pH, total suspended solids, total petroleum hydrocarbons (TPH), total residual chlorine (TRC) and temperature. These parameters were chosen based on the evaluation of 1992-1996 DMR data as detailed in the fact sheet of the previous permit. Additionally, ammonia is added to the parameter list. Chloramines are common chemicals used for disinfection of drinking water. Ammonia is a by-product of chloramines use. Therefore, ammonia monitoring is required in cases where a discharge contains cooling water that is disinfected using chloramines. The purpose is to collect data to evaluate whether the general permit is appropriate for such discharges and/or whether ammonia limits may be required in such discharges for the next reissuance of the general permit. This change is consistent with the recent amendment of the General VPDES Permit for Cooling Water Discharge (9 VAC 25-196).

The pH limitation is based upon Virginia's Water Quality Standards (9 VAC 25-260). Because the facility may discharge into the receiving water at zero low flow conditions, the limitation of the water quality standard on the effluent is appropriate.

Although there are no water quality standards or federal effluent guidelines for total suspended solids for the industrial category covered by the draft general permit, the Department has decided that such limits are necessary for the protection of the receiving waters. The total suspended solids limitations are established at levels which, based on the Department's experience with individual VPDES permits, are achievable with conventional treatment technology and which will prevent the build-up of solids on the bottoms of receiving waters.

Due to the concern that process wastewater generated from engine steam cleaning in the vehicle/equipment maintenance shop may carry petroleum-based pollutants (diesel range organics), this general permit proposes a TPH limitation of 15 mg/l for a discharge with such input. The TPH maximum limitation is based on the ability of simple oil/water separator equipment. Historically, oil and grease (O&G) limits have been placed in the VPDES permits for many facilities that handle petroleum products or where contamination by petroleum products is of concern. The O&G limits now are expressed as Total Petroleum Hydrocarbons (TPH) instead since there is little reason to expect fatty matter from plant and animal sources. Based on the recommendation provided by Guidance Memo # 96-002, a one to one ratio between O&G and TPH is assumed. The TPH testing protocols have been updated through the reissuance of the general permit.

Heat, chlorine and ammonia will be pollutants of concern when noncontact cooling water is commingled with process wastewater prior to discharge. Limitation and monitoring requirements for temperature, total residual chlorine and ammonia are therefore imposed in this general permit. Specific rationale is discussed below.

**B. Discharge of noncontact cooling water**

The pH limitation is based upon Virginia's Water Quality Standards (9 VAC 25-260). Because the facility may discharge into the receiving water at zero low flow conditions, the limitation of the water quality standard on the effluent is appropriate.

The primary pollutant associated with noncontact cooling water discharges is the heat taken up by the water. The general permit will limit temperature in these discharges so that the receiving waters will not exceed the maximum temperature established in the Water Quality Standards (9 VAC 25-260-50). The general permit also limits temperature in these discharges so that the rise above natural temperature and the maximum hourly temperature change in the receiving waters will not violate the Water Quality Standards (9 VAC 25-260).

The general permit contains a TRC limit in order to ensure that the Virginia Water Quality Standards (9 VAC 25-260-140) are maintained in the receiving waters regardless of the dilution available to the discharge. The TRC limit is derived in accordance with Guidance Memo #00-2011 Guidance on Preparing VPDES Permit Limits (Dated August 24, 2000). A printout of the STATS program output is attached. TRC limitation and monitoring requirements are applicable where the source of cooling water is chlorinated. Ammonia monitoring is only required in cases where cooling water is disinfected using chloramines

**C. Discharge of storm water which does not combine with other process wastewaters or noncontact cooling water**

It is imperative for the protection of water quality in the streams receiving the storm water runoff from a ready-mixed concrete operation that appropriate storm water pollution prevention controls and practices be designed and implemented at these facilities. The permittees are required to demonstrate that they have implemented these controls and practices by monitoring discharges that are made up exclusively of storm water for pH, total petroleum hydrocarbons, total suspended solids and total recoverable iron once per year over the term of the permit. These parameters have been determined to be pollutants of concern in storm water from this industrial category. This monitoring requirement is consistent with the requirement for storm water monitoring at concrete plants that are covered under the EPA NPDES Storm Water Multi-Sector General Permit reissued on October 30, 2000.

Proposed Special Conditions and Their Basis

1. Restriction of floating solids and visible foam discharges
This condition is required to implement the Water Quality Standards (9 VAC 25-260-20).

2. Materials handling/storage
Raw materials and products are to be stored and handled so that any untreated discharge of pollutants to surface waters is prevented.

3. Vehicles and equipment maintenance
Vehicles and equipment used in the industrial activity are to be operated and maintained in a manner that prevents pollution of surface or ground waters. This special condition addresses best management practices for activities associated with vehicle maintenance that take place at a typical ready-mixed concrete plant.

4. Restrictions of washing activities
All truck and product mixing unit washing is restricted to the designated washdown and washout areas. Wastewater generated in this area is to be recycled or treated prior to discharge. The storage of raw materials and washing of trucks and other mixing equipment are necessary aspects of a ready-mixed concrete plant. These activities are allowed by the general permit as long as they are handled in a way that provides for treatment of any wastewater prior to discharge.

5. Restrictions of waste concrete reclamation
Waste concrete that returns to the plant is either reclaimed at the truck washing facility or it is dumped on the plant site for drying and later reclamation for off-site fill or road base. The general permit restricts this practice to a designated area and prohibits any untreated discharge from it to surface waters.

6. Prohibition of sewage discharge
The discharge of sewage is not permitted under the draft general permit. The limits of the permit do not address pollutants of concern in domestic sewage.

7. Prohibition of unapproved chemical usage and prior approval requirement for change of chemical usage for noncontact cooling water

In order to assure protection of water quality and beneficial uses of the waters receiving the discharge, the use of any chemical additives, except chlorine, without prior approval is prohibited under this general permit. The general permit contains a water quality-based chlorine limitation.

The chemical treatment that is employed in the geothermal or other system will be identified on the registration statement and evaluated before the facility is covered under the general permit. Prior approval shall be obtained from the DEQ before any changes are made to the chemical usage in the geothermal or other system, during the life of the permit term.

8. Operation and maintenance manual requirement

The permittee is required to develop and implement an Operation and Maintenance Manual which includes procedures and practices for the mitigation of pollutant discharges and for the protection of state waters from the facility's operations. This will document procedures for plant personnel so that the other special conditions can be met. For a facility that was covered by the previous permit, the existing O&M Manual shall be reviewed and modified, as needed, to conform to the requirement of this permit.

9. Notification of municipal separate storm sewer system

If the facility discharges through a municipal separate storm sewer system (MS4) to surface waters, the permittee must notify the owner of the storm sewer of the presence of the discharge and provide a copy of such notice to DEQ.

10. Freeboard requirement

The purpose of this special condition is to prevent overflow. A minimum freeboard of one foot for the treatment/storage system is required to be maintained except during a 72-hour transition period after a measurable rainfall event. During the transition period, no discharge from the basins and lagoons shall occur unless it is in accordance with this permit. Within 72 hours after a measurable rainfall event, the freeboard must return to the minimum freeboard of one foot. A daily inspection requirement is added to ensure that freeboard is properly maintained. The inspection log is required to be kept onsite and be made available to DEQ upon request.

11. Requirement for "no discharge" mode operation

In the cases where either the process wastewater which may be commingled with noncontact cooling water or storm water runoff, or the storm water associated with industrial activity are retained in a treatment/storage system which operates in a "no-discharge" mode, this general permit prohibits any discharge of pollutants to surface waters from such system except in the case of a storm event which is greater than a 25 year-24 hour storm event. This special condition only applies to those operations which the permittee had designated as "no-discharge" in the accepted registration statement.

12. Notification levels

The permittee is required to report the discharge of any toxic pollutant from any activity that has occurred or will occur when that discharge, either on routine or non-routine basis, will exceed the highest of the listed notification levels. This condition is required by the VPDES Permit Regulation (9 VAC 25-31-200 A).

13. Liner requirements for the settling basins

In order to comply with the statutory mandate (State Water Control Law §62.1-44.15:5.2), House Bill 972 passed by the 1998 Session of the General Assembly and effective July 1, 1998, all settling basins, used for treatment and control of process wastewater and commingled storm water that were constructed on or after February 2, 1998, are required to be lined with concrete or any other impermeable materials prior to commencing operation.

14. Reuse of treated wastewater for dust control

In order to ensure that reuse of treated wastewater on site for the purposes of dust suppression is managed properly and no ponding or surface runoff will occur as a result of such activity, this condition is added to the general permit.

15. Compliance reporting

In accordance with Guidance Memo # 00-2011, Amendment #3, this special condition identifies the quantification levels for TRC and ammonia, and prescribes data handling protocols for the purposes of compliance reporting.

Proposed Requirements for Storm Water Management

Reporting of specific storm event sampling data and representative discharge requirements remain the same in this draft permit. In order to be consistent with the EPA NPDES Storm Water Multi-Sector General Permit reissued on October 30, 2000, the following new or amended requirements regarding storm water management are included in the draft general permit:

1. Sampling waiver

Amendment has been made to this draft permit that requires, in the event of adverse weather conditions, a substitute sample be collected in the next period and data be submitted along with the data for the routine sample in that period. Restriction for exercising the waiver to no more than once during the permit term has been lifted in the draft permit.

2. Quarterly visual examination of storm water quality

This is a new requirement. It is believed that visual examination of storm water provides a useful and inexpensive means for permittees to evaluate the effectiveness of their storm water pollution prevention plans (SWP3s) and make any necessary modifications to address the results of the visual examinations. The frequency of this visual examination will also allow for timely adjustments to be made to the plan.

3. Allowable nonstorm water discharges

This new requirement identifies allowable nonstorm water discharges including incidental windblown mist from cooling towers. In order to be authorized under this provision, the sources of nonstorm water must be identified in the SWP3 and, except for flows from fire fighting activities, the plan must identify and ensure the implementation of appropriate pollution prevention measures for such discharges.

4. Releases of hazardous substances or oil in excess of reportable quantities

This new requirement provides that the discharge of hazardous substances or oil from a facility must be eliminated or minimized in accordance with the SWP3 developed for this facility. Where a release containing a hazardous substance or oil in a reportable amount, the permittee must notify the Department as soon as possible. Where a release enters a MS4, the permittee must notify the owner of the MS4. In addition, the SWP3 must be reviewed to identify measure to prevent the reoccurrence of such releases and to respond to such releases, and the plan must be modified as needed.

5. Storm water pollution prevention plan

As with the previous permit, the draft general permit requires the permittee to develop and implement a storm water pollution prevention plan. The time frame for preparation and implementation of the plan has been changed to within 270 days from the date of coverage under this permit. The draft permit imposes a new requirement for a facility covered by the previous general permit to update the plan in order to comply with any new requirements of the draft permit. In cases where construction is needed to implement measures required by the plan, the general permit requires the plan contain a compliance schedule of no later than 3 years.

The plan is intended to identify potential sources of pollution which may reasonably be expected to affect

the quality of storm water discharges and the plan will describe and ensure the implementation of practices which will be used to reduce the pollutants in storm water discharges. The Clean Water Act (CWA) requires that all NPDES permits for storm water discharges associated with industrial activity must, at a minimum, establish Best Available Technology Economically Achievable (BAT) and Best Conventional Pollutant Control Technology (BCT) requirements. This permit establishes BAT/BCT requirements in terms of requirements to develop and implement storm water pollution prevention plans and thus, is consistent with the requirements of the CWA.

The development of a pollution prevention plan maintains the flexibility for a site-specific plan to be developed and implemented. This adequately addresses the variable storm water management/pollution prevention opportunities available at a facility. The varying sizes and complexities of the facilities should be reflected in the storm water pollution prevention plan. These plans are required to achieve BAT/BCT requirements in lieu of numeric limitations. Pollution prevention measures are the most practicable and cost-effective approaches to reducing pollutants in storm water discharges and provide for flexibility for developing tailored plans and strategies. This permit identifies specific components that the plan must address and all the components of the plan are essential for reducing pollutants in storm water discharges and are necessary to reflect BAT/BCT. These components include the formation of a pollution prevention team, a description of pollutant sources, identification and implementation of measures and controls and a comprehensive site compliance evaluation.

The permittee is to consider the relevant BAT and BCT factors when developing and implementing storm water pollution prevention plans. The following factors are to be considered when evaluating BAT requirements: the age of equipment and facilities involved; the process employed; the engineering aspects of the application of various types of control techniques; process changes; the cost of achieving such effluent reduction; and non-water quality environmental impacts. The following factors are to be considered when evaluating BCT requirements: the reasonableness of the relationship between the costs of attaining a reduction in effluent and the effluent reduction benefits derived; the comparison of the cost and level of reduction of such pollutants from the discharge from publicly owned treatment works to the cost and level of reduction of such pollutants from a class or category of industrial sources; the age of equipment and facilities involved; the process employed; the engineering aspects of the application of various types of control techniques; process changes; and non-water quality environmental impacts.

In establishing the minimum monitoring and reporting requirements for storm water discharges, it was determined that requiring an annual comprehensive site evaluation for all facilities would allow for the identification of areas contributing to a storm water discharge associated with industrial activity and the evaluation of whether measures to reduce pollutant loadings identified in the storm water pollution prevention plan are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed. Conducting inspections to identify sources of pollution and to evaluate whether the pollution prevention measures required by the permit are being effectively implemented and are in compliance with the terms of the permit will provide an acceptable indication of whether a facility is complying with the permit. This will also reduce discharge sampling burdens on many facilities. The permittee is also required to maintain records summarizing the results of the inspection and a certification that the facility is in compliance with the permit. The requirement for adequate documentation of the inspection is particularly important given the emphasis placed on using site inspections to ensure the effective implementation of pollution prevention plans.

In order to be consistent with the EPA NPDES Storm Water Multi-Sector General Permit reissued on October 30, 2000, the sector-specific storm water pollution prevention plan requirements have been incorporated into this draft permit. These include drainage area site map, good housekeeping and routine inspections. Additional requirements for salt storage and storm water discharges associated with industrial activity from facilities subject to section 313 of the Emergency Planning and Community Right-to-Know Act of 1986 reporting requirements are also included.

Additional guidance on the development of the Storm Water Pollution Prevention Plan can be found in the EPA document titled Storm Water Management For Industrial Activities, Developing Pollution Prevention Plans and Best Management Practices, publication number EPA 832-R-92-006, September 1992.

General Permit Coverage

The general permit will have a fixed term of 5 years. Every authorization under this general permit will expire at the same time and all authorizations will be renewed on the same date, provided a complete registration statement has been filed prior to the general permit's expiration date.

All persons desiring to be covered by this general permit must register with the Department by filing a registration statement and applicable fees. The registration statement shall be submitted and a notification of coverage issued prior to any discharges or other activities for which this permit is required.

Ready-mixed concrete plants that are discharging process wastewater and/or storm water associated with industrial activity to surface waters on the effective date of this general permit and which have not been issued an individual VPDES permit, are required to submit the registration statement. Existing operations with individual VPDES permits that wish to seek coverage under the proposed general permit would have to file a registration statement at least 180 days prior to the expiration date of the individual VPDES permit. For all new ready-mixed concrete plants that will have discharges of process wastewater or storm water associated with industrial activity and that will begin activities after the effective date of this permit, the registration statement shall be filed at least 30 days prior to the commencement of operation of the concrete plant.

This general permit does not cover activities or discharges covered by an individual VPDES permit until the individual permit has expired or has been revoked. Any person conducting an activity covered by an individual permit, which could be covered by this general permit, may request that the individual permit be revoked and register for coverage under this general permit. Antibacksliding will be considered prior to granting the coverage under this general permit. Any owner or operator not wishing to be covered or limited by this general permit may make application for an individual VPDES permit, in accordance with VPDES procedures, stating the reasons supporting the request. This general permit will not apply to any new or increased discharge that will result in significant effects to the receiving waters. The determination is made in accordance with the State Water Control Board's Antidegradation Policy contained in the Virginia Water Quality Standards, 9 VAC 25-260-30.

All facilities that the Department believes are eligible for coverage under this general permit will be authorized to discharge under the terms and conditions of the permit after a complete registration statement is submitted, the applicable permit fee is paid and the Department sends a copy of the general permit to the applicant. If this general permit is inappropriate, the applicant will be so notified and the requirement that an individual permit or alternate general permit is needed will remain in effect.

**STATS Program Output**

```
4/22/03 7:58:45 AM

Facility  = Ready-Mixed Concrete Plant
Chemical  = TRC
Chronic averaging period =  4
WLAa    =  0.019
WLAc    =  0.011
Q.L.      = 0.1
# samples/mo. = 1
# samples/wk. = 1

Summary of Statistics:

# observations = 1
Expected Value =  .1
Variance       =  .0036
C.V.           = 0.6
97th percentile daily values  =  .243341
97th percentile 4 day average =  .166379
97th percentile 30 day average=  .120605
# < Q.L.       =  0
Model used     = BPJ Assumptions, type 2 data


A limit is needed based on Chronic Toxicity
Maximum Daily Limit   = 1.60883226245856E-02
Average Weekly limit  = 1.60883226245856E-02
Average Monthly LImit = 1.60883226245856E-02


The data are:


 0.1
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Attachment C

General Permit Pages

General Permit No.: VAG11

Effective Date: October 1, 2003
Expiration Date: September 30, 2008

# GENERAL PERMIT FOR READY-MIXED CONCRETE PLANTS

## AUTHORIZATION TO DISCHARGE UNDER THE VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM AND THE VIRGINIA STATE WATER CONTROL LAW

In compliance with the provisions of the Clean Water Act, as amended, and pursuant to the State Water Control Law and regulations adopted pursuant thereto, owners of ready-mixed concrete plants are authorized to discharge to surface waters within the boundaries of the Commonwealth of Virginia, except those specifically named in board regulations or Policies which prohibit such discharges.

The authorized discharge shall be in accordance with this cover page, Part I - Effluent Limitations, Monitoring Requirements, and Special Conditions, Part II - Storm Water Management, and Part III - Conditions Applicable to All VPDES Permits, as set forth herein.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge process wastewater which may contain input from vehicle/equipment maintenance activities, and may be commingled with noncontact cooling water or storm water associated with industrial activity. Samples taken in compliance with the monitoring requirements specified below shall be taken at outfall(s) .

Such discharges shall be limited and monitored by the permittee as specified below:

| EFFLUENT CHARACTERISTICS | DISCHARGE LIMITATIONS | | | MONITORING REQUIREMENTS | |
|---|---|---|---|---|---|
| | Average | Maximum | Minimum | Frequency | Sample Type |
| Flow (MGD) | NL | NL | NA | (6) | Estimate |
| Total Suspended Solids (mg/l) | 30 | 60 | NA | (6) | Grab |
| pH (standard units) | NA | 9.0(1) | 6.0(1) | (6) | Grab |
| Total Petroleum Hydrocarbons (2) (mg/l) | NA | 15 | NA | 1/3 Months | Grab |
| Total Residual Chlorine (3) (mg/l) | 0.016 | 0.016 | NA | (6) | Grab |
| Ammonia-N (3) (mg/l) | NA | NL | NA | (6) | Grab |
| Temperature(4) ($^{o}$C) | NA | (5) | NA | (6) | Immersion Stabilization |

NL = No limitation, monitoring required
NA = Not applicable

(1) Where the Water Quality Standards (9 VAC 25-260) establish alternate standards for pH in the waters receiving the discharge, those standards shall be the maximum and minimum effluent limitations.

(2) Total Petroleum Hydrocarbons limitation and monitoring are only required where a discharge contains process wastewater generated from the vehicle/equipment maintenance activities. Total Petroleum Hydrocarbons shall be analyzed using the Wisconsin Department of Natural Resources Modified Diesel Range Organics Method as specified in Wisconsin publication SW-141 (1995), or by EPA SW-846 Method 8015B (1996) for

diesel range organics, or by EPA SW-846 Method 8270C (1996). If Method 8270C is used, the lab must report the combination of diesel range organics and polynuclear aromatic hydrocarbons.

(3) Chlorine limitation and monitoring are only required where the discharge contains cooling water that is chlorinated. Ammonia monitoring is only required where the discharge contains cooling water that is disinfected using chloramines.

(4) Temperature limitation and monitoring are only required where a discharge contains cooling water.

(5) The effluent temperature shall not exceed a maximum 32 $^{o}$C for discharges to non-tidal coastal and piedmont waters, 31 $^{o}$C for mountain and upper piedmont waters, 21 $^{o}$C for put and take trout waters, or 20 $^{o}$C for natural trout waters. No maximum temperature limit applies to discharges to estuarine waters.

For estuarine waters, non-tidal coastal and piedmont waters, mountain and upper piedmont waters, and put and take trout waters, the effluent shall not cause an increase in temperature of the receiving stream of more than 3$^{o}$C above the natural water temperature. For natural trout waters, the temperature of the effluent shall not cause an increase of 1 $^{o}$C above natural water temperature. The effluent shall not cause the temperature in the receiving stream to change more than 2 $^{o}$C per hour, except in the case of natural trout waters where the hourly temperature change shall not exceed 0.5 $^{o}$C.

Natural temperature is defined as that temperature of a body of water (measured as the arithmetic average over one hour) due solely to natural conditions without the influence of any point-source discharge.

(6) For a facility that was covered by the previous general permit, and reduced monitoring was granted and compliance demonstrated, monitoring frequency shall be 1/quarter. In all other cases, monitoring frequency shall be 1/month in the first year of permit coverage. If the first year results demonstrate full compliance with the effluent limitations and the permittee receives authorization from the DEQ regional office, monitoring frequency shall be reduced to 1/quarter. Should the permittee be issued a Warning Letter related to violation of effluent limitations, a Notice of Violation, or be the subject of an active enforcement action, monitoring frequency shall revert to 1/month, upon issuance of the letter or notice or initiation of the enforcement action and remain in effect until the permit's expiration date. Reports of quarterly monitoring shall be submitted to the DEQ regional office no later than the tenth day of April, July, October, and January.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

2. During the period beginning on the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge noncontact cooling water. Samples taken in compliance with the monitoring requirements specified below shall be taken at outfall(s) .

Such discharges shall be limited and monitored by the permittee as specified below:

| EFFLUENT CHARACTERISTICS | DISCHARGE LIMITATIONS | | | MONITORING REQUIREMENTS | |
|---|---|---|---|---|---|
| | Average | Maximum | Minimum | Frequency | Sample Type |
| Flow (MGD) | NL | NL | NA | (4) | Estimate |
| pH (standard units) | NA | 9.0(1) | 6.0(1) | (4) | Grab |
| Total Residual Chlorine (2) (mg/l) | 0.016 | 0.016 | NA | (4) | Grab |
| Ammonia-N (2) (mg/l) | NA | NL | NA | (4) | Grab |
| Temperature ($^{o}$C) | NA | (3) | NA | (4) | Immersion Stabilization |

NL = No limitation, monitoring required
NA = Not applicable

(1) Where the Water Quality Standards (9 VAC 25-260) establish alternate standards for pH in the waters receiving the discharge, those standards shall be the maximum and minimum effluent limitations.

(2) Chlorine limitation and monitoring are only required where the source of cooling water is chlorinated. Ammonia monitoring is only required where cooling water is disinfected using chloramines.

(3) The effluent temperature shall not exceed a maximum 32 $^{o}$C for discharges to non-tidal coastal and piedmont waters, 31 $^{o}$C for mountain and upper piedmont waters, 21 $^{o}$C for put and take trout waters, or 20 $^{o}$C for natural trout waters. No maximum temperature limit applies to discharges to estuarine waters.
For estuarine waters, non-tidal coastal and piedmont waters, mountain and upper piedmont waters, and put and take trout waters, the effluent shall not cause an increase in temperature of the receiving stream of more than 3$^{o}$C above the natural water temperature. For natural trout waters, the temperature of the effluent shall not cause an increase of 1 $^{o}$C above natural water temperature. The effluent shall not cause the temperature in the

receiving stream to change more than 2 $^{o}$C per hour, except in the case of natural trout waters where the hourly temperature change shall not exceed 0.5 $^{o}$C.

Natural temperature is defined as that temperature of a body of water (measured as the arithmetic average over one hour) due solely to natural conditions without the influence of any point-source discharge.

(4) For a facility that was covered by the previous general permit, and reduced monitoring was granted and compliance demonstrated, monitoring frequency shall be 1/quarter. In all other cases, monitoring frequency shall be 1/month in the first year of permit coverage. If the first year results demonstrate full compliance with the effluent limitations and the permittee receives authorization from the DEQ regional office, monitoring frequency shall be reduced to 1/quarter. Should the permittee be issued a Warning Letter related to violation of effluent limitations, a Notice of Violation, or be the subject of an active enforcement action, monitoring frequency shall revert to 1/month, upon issuance of the letter or notice or initiation of the enforcement action and remain in effect until the permit's expiration date. Reports of quarterly monitoring shall be submitted to the DEQ regional office no later than the tenth day of April, July, October, and January.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS - STORM EVENT MONITORING

3. During the period beginning on the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge storm water associated with industrial activity which does not combine with other process wastewaters or noncontact cooling water prior to discharge. Samples taken in compliance with the monitoring requirements specified below shall be taken at outfall(s) .

Such discharges shall be limited and monitored by the permittee as specified below:

| EFFLUENT CHARACTERISTICS | DISCHARGE LIMITATIONS | | MONITORING REQUIREMENTS | |
|---|---|---|---|---|
| | Maximum | Minimum | Frequency | Sample Type |
| Flow (MG) | NL | NA | 1/Year | Estimate(1) |
| Total Petroleum Hydrocarbons (3) (mg/l) | NL | NA | 1/Year | Grab(2) |
| Total Suspended Solids (mg/l) | NL | NA | 1/Year | Grab(2) |
| Total Recoverable Iron (mg/l) | NL | NA | 1/Year | Grab(2) |
| pH (standard units) | NL | NL | 1/Year | Grab(2) |

NL = No limitation, monitoring required
NA = Not applicable

(1) Estimate of the total volume of the discharge during the storm event in accordance with the Operation and Maintenance Manual.
(2) The grab sample shall be taken during the first thirty minutes of the discharge. If during the first thirty minutes it was impracticable, then a grab sample shall be taken during the first hour of discharge, and the permittee shall submit with the Discharge Monitoring Report a description of why a grab sample during the first 30 minutes was impracticable.
(3) Total Petroleum Hydrocarbons shall be analyzed using the Wisconsin Department of Natural Resources Modified Diesel Range Organics Method as specified in Wisconsin publication SW-141 (1995), or by EPA SW-846 Method 8015B (1996) for diesel range organics, or by EPA SW-846 Method 8270C (1996). If Method 8270C is used, the lab must report the combination of diesel range organics and polynuclear aromatic hydrocarbons.

4. All storm water samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. Specific storm event data shall be reported with the Discharge Monitoring Report in accordance with Part II A.

5. Reports of annual monitoring shall be submitted to the DEQ regional office no later than the tenth day of January of each year.

6. A quarterly visual monitoring shall be performed and recorded in accordance with Part II D.

B. Special conditions

1. There shall be no discharge of floating solids or visible foam in other than trace amounts.

2. Except as expressly authorized by this permit, no product, materials, industrial wastes, or other wastes resulting from the purchase, sale, mining, extraction, transport, preparation, or storage of raw or intermediate materials, final product, by-product or wastes, shall be handled, disposed of, or stored so as to permit a discharge of such product, materials, industrial wastes, or other wastes to surface waters.

3. Vehicles and equipment utilized during the industrial activity on site must be operated and maintained in such a manner as to minimize the potential or actual point source pollution of surface waters. Fuels, lubricants, coolants, and hydraulic fluids, or any other petroleum products shall not be disposed of by discharging on the ground or into surface waters. Spent fluids shall be disposed of in a manner so as not to enter the surface or ground waters of the state and in accordance with the applicable state and federal disposal regulations. Any spilled fluids shall be cleaned up to the maximum extent practicable and disposed of in a manner so as not to allow their entry into the surface or ground waters of the state.

4. There shall be no product mixing unit washout or truck washing activities conducted outside of the designated washdown and washout areas. All washout water shall be collected for recycle or treated prior to discharge.

5. Any waste concrete and dredged solids from the settling basins shall be managed within a designated area, and any wastewaters including storm water generated from these activities shall be collected for recycle or treated prior to discharge.

6. No sewage discharges to surface waters are permitted under this general permit.

7. For geothermal or other system which discharges noncontact cooling water, the use of any chemical additives, except chlorine, without prior approval is prohibited under this general permit. Prior approval shall be obtained from the DEQ Regional Office before any changes are made to the chemical usage in the geothermal or other system. Requests for approval of chemical use shall be made in writing and shall include the following information:

b. The chemical additive to be employed and its purpose;

b. The proposed schedule and quantity of chemical usage, and the estimated concentration in the discharge;

c. The wastewater treatment or retention (if any) to be provided during the use of the additive; and

d. A Material Safety Data Sheet (MSDS) and available aquatic toxicity information for each additive proposed for use.

8. Within 180 days after the date of coverage under this general permit, the permittee shall develop an Operations and Maintenance (O&M) Manual for the permitted facility. The O&M Manual shall include procedures and practices for the mitigation of pollutant discharges and for the protection of state waters from the facility's operations. The manual shall address, at a minimum, operations and maintenance practices for the wastewater treatment process units and chemical and material storage areas, solids management and disposal procedures, temporary and long-term facility closure plans, testing requirements and procedures, record keeping and reporting requirements and the duties and roles of responsible officials.

The permittee shall implement the O&M Manual procedures and practices as soon as possible but no later than 12 months after the date of coverage under this general permit. The manual shall be kept on site at the permitted facility and shall be made available to the Department upon request.

For a facility that was covered by the previous permit, an O&M Manual was required to be developed and implemented for that facility. Within 90 days after the date of coverage under this general permit, the existing O&M Manual shall be reviewed and modified, as appropriate, to conform to the requirements of this permit. The existing O&M Manual shall continue to be implemented until the manual, if required, is revised and implemented.

9. If the ready-mixed concrete plant discharges through a municipal separate storm sewer system to surface waters, the permittee shall, within 30 days of coverage under this general permit, notify the owner of the municipal separate storm sewer system of the existence of the discharge and provide the following information: the name of the facility; a contact person and phone number; nature of the discharge; number of the outfalls; and the location of the discharge. A copy of such notification shall be provided to the department.

10. The permittee shall ensure that all basins and lagoons maintain a minimum freeboard of one foot at all times except during a 72-hour transition period after a measurable rainfall event. During the 72-hour transition period, no discharge from the basins and lagoons shall occur unless it is in accordance with this permit. Within 72 hours after a measurable rainfall event, the freeboard in all basins and lagoons shall return to the minimum freeboard of one foot. Should the one-foot freeboard not be maintained, the permittee shall immediately notify the DEQ Regional Office, describe the problem and corrective measures taken to correct the problem. Within 5 days of notification, the permittee shall submit a written statement to the regional office of explanation and corrective measures taken. In order to demonstrate compliance, the permittee shall conduct daily inspections while the facility is in operation and maintain an inspection log. The inspection log shall include at least the date and time of inspection, the weather data including the occurrence of a measurable rainfall event, the printed name and the handwritten signature of the inspector, the freeboard measurement in inches, a notation of observation made, and any corrective measures, if appropriate, taken. The log shall be kept onsite and be made available to the department upon request.

11. For treatment systems which operate only in a "no discharge" mode, there shall be no discharge of pollutants to surface waters from these systems except in the case of a storm event which is greater than a 25 year-24 hour storm event. The operation of these systems shall not contravene the Water Quality Standards (9 VAC 25-260), as adopted and amended by the Board, or any provision of the State Water Control Law.

12. The permittee shall notify the department as soon as he knows or has reason to believe:

a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following notification levels:

(1) One hundred micrograms per liter (100 µg/l);
(2) Two hundred micrograms per liter (200 µg/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
(3) Five (5) times the maximum concentration value reported for that pollutant in the permit application; or

(4) The level established by the Board in accordance with 9 VAC 25-31-220 F.

b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following notification levels:

(1) Five hundred micrograms per liter (500 µg/l);
(2) One milligram per liter (1 mg/l) for antimony;
(3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application; or
(4) The level established by the Board in accordance with 9 VAC 25-31-220 F.

13. All settling basins, used for treatment and control of process wastewater and commingled storm water that were constructed on or after February 2, 1998, shall be lined with concrete or any other impermeable materials prior to commencing operation.

14. Treated wastewater may be used on site for the purposes of dust suppression. Dust suppression shall be carried out as a best management practice but not a wastewater disposal method. No ponding or surface runoff shall occur as a result of such activity.

15. Compliance reporting under Part I A

a. The quantification levels (QL) shall be as follows:

| Effluent Characteristic | Quantification Level |
|---|---|
| Chlorine | 0.1 mg/l |
| Ammonia-N | 0.2 mg/l |

b. Reporting

(1) Monthly Average. Compliance with the monthly average limitations and/or reporting requirements for the parameters listed in Part I A shall be determined as follows: All concentration data below the QL listed above shall be treated as zero. All concentration data equal to or above the QL listed above shall be treated as it is reported. An arithmetic average shall be calculated using all reported data, including the defined zeros, for the month. This arithmetic average shall be reported on the DMR as calculated. If all data are below the QL then the average shall be reported as "<QL". If reporting for quantity is required on the DMR and the calculated concentration is <QL then report "<QL" for the quantity otherwise use the calculated concentration.

(2) Daily Maximum. Compliance with the daily maximum limitations and/or reporting requirements for the parameters listed in Part I A shall be determined as follows: All concentration data below the QL listed in a. above shall be treated as zero. All concentration data equal to or above the QL shall be treated as reported. An arithmetic average of the values shall be calculated using all reported data, including the defined zeros, collected for each day during the reporting month. The maximum value of these daily averages thus determined shall be reported on the DMR as the Daily Maximum. If all data are below the QL then the average shall be reported as <QL. If reporting for quantity is required on the DMR and the calculated concentration is <QL then report "<QL" for the quantity otherwise use the calculated concentration.

(3) Any single datum required shall be reported as "<QL" if it is less than the QL listed in a. above. Otherwise the numerical value shall be reported.

# PART II
# STORM WATER MANAGEMENT

A. Recording of results

For each discharge measurement or sample taken pursuant to the storm event monitoring requirements of this permit, the permittee shall record and report with the Discharge Monitoring Reports (DMRs) the following information:

1. The date and duration (in hours) of the storm event(s) sampled;
2. The rainfall measurements or estimates (in inches) of the storm event which generated the sampled discharge; and
3. The duration between the storm event sampled and the end of the previous measurable (greater than 0.1 inch rainfall) storm event.

B. Representative discharge

When a facility has two or more exclusively storm water outfalls that, based on a consideration of industrial activity, significant materials, and management practices and activities within the area drained by the outfall, the permittee reasonably believes discharge substantially identical effluent, the permittee may test the effluent of one of such outfalls and include with the DMRs an explanation that the quantitative data also applies to the substantially identical outfalls provided that the permittee includes a description of the location of the outfalls and explains in detail why the outfalls are expected to discharge substantially identical effluent. In addition, for each exclusively storm water outfall that the permittee believes is representative, an estimate of the size of the drainage area (in square feet) and an estimate of the runoff coefficient of the drainage area (e.g. low (under 40 percent), medium (40 to 65 percent) or high (above 65 percent)) shall be provided.

C. Sampling waiver

When a permittee is unable to collect storm water samples required in Part I.A or other applicable sections of this permit within a specified sampling period due to adverse climatic conditions, the permittee shall collect a substitute sample from a separate qualifying event in the next period and submit these data along with the data for the routine sample in that period. Adverse weather conditions which may prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (drought, extended frozen conditions, etc.).

D. Quarterly visual examination of storm water quality

The permittee shall perform and document a visual examination of a storm water discharge associated with industrial activity from each outfall, except discharges exempted below. The visual examination(s) must be made during daylight hours (e.g., normal working hours), at least once in each of the following three-month periods: January through March, April through June, July through September, and October through December.

1. Examinations shall be made of samples collected within the first 30 minutes (or as soon thereafter as practical, but not to exceed 1 hour) of when the runoff or snowmelt begins discharging. The examination shall document observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water

pollution. The examination must be conducted in a well lit area. No analytical tests are required to be performed on the samples. All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previous measurable (greater than 0.1 inch rainfall) storm event. The required 72-hour storm event interval is waived where the preceding measurable storm event did not result in a measurable discharge from the facility. The required 72-hour storm event interval may also be waived where the permittee documents that less than a 72-hour interval is representative for local storm events during the season when sampling is being conducted. If no qualifying storm event resulted in discharge from the facility during a monitoring period, visual monitoring is exempted provided that the permittee document that no qualifying storm event occurred that resulted in storm water discharge during that quarter. Where practicable, the same individual should carry out the collection and examination of discharges for the entire permit term.

2. Visual examination reports must be maintained onsite with the pollution prevention plan. The report shall include the outfall location, the examination date and time, examination personnel, the nature of the discharge (i.e., runoff or snow melt), visual quality of the storm water discharge (including observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of storm water pollution), and probable sources of any observed storm water contamination.

3. If the facility has two or more outfalls that, based on a consideration of industrial activity, significant materials, and management practices and activities within the area drained by the outfall, the permittee reasonably believes discharge substantially identical effluents, the permittee may collect a sample of effluent of one of such outfalls and report that the examination data also applies to the substantially identical outfall(s) provided that the permittee includes in the storm water pollution prevention plan a description of the location of the outfalls and explains in detail why the outfalls are expected to discharge substantially identical effluents. In addition, for each outfall that the permittee believes is representative, an estimate of the size of the drainage area (in square feet) and an estimate of the runoff coefficient of the drainage area (i.e., low (under 40 percent), medium (40 to 65 percent), or high (above 65 percent)) shall be provided in the plan.

4. When the permittee is unable to conduct the visual examination due to adverse climatic conditions, the permittee must document the reason for not performing the visual examination and retain this documentation onsite with the records of the visual examinations. Adverse weather conditions that may prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (drought, extended frozen conditions, etc.).

E. Allowable nonstorm water discharges

1. The following nonstorm water discharges are authorized by this permit provided the nonstorm water component of the discharge is in compliance with Part II E 2 below.

a. Discharges from fire fighting activities;
b. Fire hydrant flushings;
c. Potable water including water line flushings;
d. Uncontaminated air conditioning or compressor condensate;
e. Irrigation drainage;
f. Landscape watering provided all pesticides, herbicides, and fertilizer have been applied in accordance with manufacturer's instructions;
g. Pavement wash waters where no detergents are used and no spills or leaks of toxic or hazardous materials have occurred (unless all spilled material has been removed);
h. Routine external building wash down which does not use detergents;
i. Uncontaminated ground water or spring water;

j. Foundation or footing drains where flows are not contaminated with process materials such as solvents;

k. Incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of the facility, but NOT intentional discharges from the cooling tower (e.g., "piped" cooling tower blowdown or drains).

2. Except for flows from fire fighting activities, the Storm Water Pollution Prevention Plan must include:

a. Identification of each allowable non-storm water source;

b. The location where it is likely to be discharged; and

c. Descriptions of appropriate BMPs for each source.

3. If mist blown from cooling towers is included as one of the allowable non-storm water discharges, the facility must specifically evaluate the potential for the discharges to be contaminated by chemicals used in the cooling tower. The permittee must determine that the levels of such chemicals in the discharges will not cause or contribute to a violation of an applicable water quality standard after implementation of the BMPs selected to control such discharges.

F. Releases of hazardous substances or oil in excess of reportable quantities

The discharge of hazardous substances or oil in the storm water discharge(s) from this facility shall be prevented or minimized in accordance with the applicable storm water pollution prevention plan for the facility. This permit does not authorize the discharge of hazardous substances or oil resulting from an onsite spill. Where a release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 CFR 110 (1998), 40 CFR 117 (1998) or 40 CFR 302 (1998) occurs during a 24 hour period, the permittee is required to notify the Department in accordance with the requirements of Part III G as soon as he or she has knowledge of the discharge. Where a release enters a municipal separate storm sewer system (MS4), the permittee shall also notify the owner of the MS4. In addition, the storm water pollution prevention plan required by this permit must be reviewed to identify measures to prevent the reoccurrence of such releases and to respond to such releases, and the plan must be modified where appropriate. This permit does not relieve the permittee of the reporting requirements of 40 CFR 110 (1998), 40 CFR 117 (1998) and 40 CFR 302 (1998) or § 62.1-44.34:19 of the Code of Virginia.

G. Storm water pollution prevention plans

A storm water pollution prevention plan is required to be developed for the facility. The plan shall be prepared in accordance with good engineering practices, and shall identify potential sources of pollution which may reasonably be expected to affect the quality of storm water discharges associated with industrial activity from the facility. In addition, the plan shall describe and ensure the implementation of practices which are to be used to reduce the pollutants in storm water discharges associated with industrial activity at the facility and to assure compliance with the terms and conditions of this permit. Permittees must implement the provisions of the storm water pollution prevention plan as a condition of this permit.

The storm water pollution prevention plan requirements of this permit may be fulfilled by incorporating by reference other plans or documents such as an erosion and sediment control plan, a spill prevention control and countermeasure (SPCC) plan developed for the facility under Section 311 of the Clean Water Act or best management practices (BMP) programs otherwise required for the facility provided that the incorporated plan meets or exceeds the plan requirements of Part II G 4. If an erosion and sediment control plan is being incorporated by reference, it shall have been approved by the locality in which the activity is to occur or by another appropriate plan approving authority authorized under the Virginia Erosion and Sediment

Control Regulation 4 VAC 50-30-10 et seq. All plans incorporated by reference into the storm water pollution prevention plan become enforceable under this permit.

1. Deadlines for plan preparation and compliance

a. For a storm water discharge associated with industrial activity that is existing on or before the effective date of this permit, the storm water pollution prevention plan shall be prepared and implemented as expeditiously as practicable, but not later than 270 days from the date of coverage under this permit. For a facility that was covered by the previous permit, a storm water pollution prevention plan was required to be developed and implemented for that facility. Within 120 days after the date of coverage under this permit, the existing storm water pollution prevention plan shall be reviewed and modified, as appropriate, to conform to the requirements of this permit. The existing storm water pollution prevention plans shall continue to be implemented until a new plan, if required, is developed and implemented.

b. The plan for any facility where industrial activity commences after the effective date of this permit, and except as provided elsewhere in this permit, shall be prepared, implemented and provide for compliance with the terms of the plan and this permit on or before the date of submission of a Registration Statement to be covered under this permit.

c. In cases where construction is necessary to implement measures required by the plan, the plan shall contain a schedule that provides compliance with the plan as expeditiously as practicable, but no later than 3 years from the date of coverage under this permit. Where a construction compliance schedule is included in the plan, the schedule shall include appropriate nonstructural and/or temporary controls to be implemented in the affected portion(s) of the facility prior to completion of the permanent control measure.

2. Signature and plan review

a. The plan shall be signed in accordance with Part III K, and be retained on-site at the facility covered by this permit in accordance with Part III B.

b. The permittee shall make the storm water pollution prevention plan, annual site compliance inspection report, or other information available to the department upon request.

c. The director, or his designee, may notify the permittee in writing at any time that the plan does not meet one or more of the minimum requirements of this part. Such notification shall identify those provisions of the permit which are not being met by the plan, and identify which provisions of the plan require modifications in order to meet the minimum requirements of this part. Within 60 days of such notification from the director, or as otherwise provided by the director, the permittee shall make the required changes to the plan and shall submit to the Department a written certification that the requested changes have been made.

3. Keeping plans current

The permittee shall amend the plan whenever there is a change in design, construction, operation, or maintenance, which has a significant effect on the potential for the discharge of pollutants to surface waters of the state or if the storm water pollution prevention plan proves to be ineffective in eliminating or significantly minimizing pollutants from sources identified under Part II G 4 b of this permit, or in otherwise achieving the general objectives of controlling pollutants in storm water discharges associated with industrial activity.

4. Contents of plan

The plan shall include, at a minimum, the following items:

a. Pollution prevention team. Each plan shall identify a specific individual or individuals within the facility organization as members of a storm water pollution prevention team that are responsible for developing the storm water pollution prevention plan and assisting the facility or plant manager in its implementation, maintenance, and revision. The plan shall clearly identify the responsibilities of each team member. The activities and responsibilities of the team shall address all aspects of the facility's storm water pollution prevention plan.

b. Description of potential pollutant sources. Each plan shall provide a description of potential sources which may reasonably be expected to add significant amounts of pollutants to storm water discharges or which may result in the discharge of pollutants during dry weather from separate storm sewers draining the facility. Each plan shall identify all activities and significant materials which may potentially be significant pollutant sources. Each plan shall include, at a minimum:

(1) Drainage. A site map indicating an outline of the portions of the drainage area of each storm water outfall that are within the facility boundaries, each existing structural control measure to reduce pollutants in storm water runoff, surface water bodies, locations where significant materials are exposed to precipitation, locations where major spills or leaks identified under Part II G 4 b (3) have occurred, and the locations of the following activities, as applicable: fueling stations, vehicle and equipment maintenance and/or cleaning areas, loading/unloading areas, bag house or other dust control device, recycle/sedimentation pond, clarifier or other device used for the treatment of process wastewater, and the areas that drain to the treatment device, locations used for the storage or disposal of wastes, liquid storage tanks, processing areas and storage areas. The map must indicate the outfall locations and the types of discharges contained in the drainage areas of the outfalls; and for each area of the facility that generates storm water discharges associated with industrial activity with a reasonable potential for containing significant amounts of pollutants, a prediction of the direction of flow, and an identification of the types of pollutants which are likely to be present in storm water discharges associated with industrial activity. Factors to consider include the toxicity of the chemicals; quantity of chemicals used, produced or discharged; the likelihood of contact with storm water; and history of significant leaks or spills of toxic or hazardous pollutants. Flows with a significant potential for causing erosion shall be identified.

(2) Inventory of exposed materials. An inventory of the types of materials handled at the site that potentially may be exposed to precipitation. Such inventory shall include a narrative description of significant materials that have been handled, treated, stored or disposed in a manner to allow exposure to storm water between the time of three years prior to the date of coverage under this general permit and the present; method and location of on-site storage or disposal; materials management practices employed to minimize contact of materials with storm water runoff between the time of three years prior to the date of coverage under this general permit and the present; the location and a description of existing structural and non-structural control measures to reduce pollutants in storm water runoff; and a description of any treatment the storm water receives.

(3) Spills and leaks. A list of significant spills and significant leaks of toxic or hazardous pollutants that occurred at areas that are exposed to precipitation or that otherwise drain to a storm water conveyance at the facility after the date of

three years prior to the date of coverage under this general permit. Such list shall be updated as appropriate during the term of the permit.

(4) Sampling data. A summary of existing discharge sampling data describing pollutants in storm water discharges from the facility, including a summary of sampling data collected during the term of this permit.

(5) Risk identification and summary of potential pollutant sources. A narrative description of the potential pollutant sources from the following activities: loading and unloading operations; outdoor storage activities; outdoor manufacturing or processing activities; significant dust or particulate generating processes; and on-site waste disposal practices. The description shall specifically list any significant potential source of pollutants at the site and for each potential source, any pollutant or pollutant parameter (e.g. biochemical oxygen demand, etc.) of concern shall be identified.

c. Measures and controls. Each facility covered by this permit shall develop a description of storm water management controls appropriate for the facility, and implement such controls. The appropriateness and priorities of controls in a plan shall reflect identified potential sources of pollutants at the facility. The description of storm water management controls shall address the following minimum components, including a schedule for implementing such controls:

(1) Good housekeeping. Good housekeeping requires the clean and orderly maintenance of areas that may contribute pollutants to storm water discharges. Particular attention should be paid to areas where raw materials are stockpiled, material handling areas, storage areas, liquid storage tanks, material handling areas, and loading/unloading areas. The plan shall describe procedures performed to minimize the discharge of: spilled cement, aggregate (including sand and gravel), fly ash, settled dust, or other significant material in storm water from paved portions of the site that are exposed to storm water. Regular sweeping or other equivalent measures to minimize the presence of these materials shall be employed. The frequency of sweeping or equivalent measures shall be specified in the plan based upon a consideration of the amount of industrial activity occurring in the area and the frequency of precipitation, but it shall be a minimum of once a week if cement, aggregate, kiln dust, fly ash or settled dust are being handled/processed. Where practicable, efforts must be made to prevent the exposure of fine granular solids (cement, fly ash, etc.) to storm water by storing these materials in enclosed silos/hoppers, buildings or under other covering.

(2) Preventive maintenance. A preventive maintenance program shall involve: timely inspection and maintenance of storm water management devices (e.g. cleaning oil/water separators, catch basins); inspecting and testing facility equipment and systems to uncover conditions that could cause breakdowns or failures resulting in discharges of pollutants to surface waters; and appropriate maintenance of such equipment and systems.

(3) Spill prevention and response procedures. Areas where potential spills which can contribute pollutants to storm water discharges can occur, and their accompanying drainage points shall be identified clearly in the storm water pollution prevention plan. Where appropriate, specifying material handling procedures, storage requirements, and use of equipment such as diversion valves in the plan should be considered. Procedures for cleaning up spills shall be identified in the plan and made available to the appropriate personnel. The necessary equipment to implement a clean up should be available to personnel.

(4) Routine facility inspections. Facility personnel who are familiar with the industrial activity, the BMPs and the storm water pollution prevention plan shall be identified to inspect designated equipment and areas of the facility.

Inspections shall be conducted while the facility is in operation and include, but are not limited to, the following areas exposed to storm water: material handling areas, above ground storage tanks, hoppers or silos, dust collection/containment systems, and truck wash down/equipment cleaning areas. The inspection frequency shall be specified in the plan based upon a consideration of the level of industrial activity at the facility, but it shall be a minimum of quarterly unless more frequent intervals are specified elsewhere in the permit. A set of tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections shall be maintained with the pollution prevention plan.

(5) Employee training. Employee training programs shall inform personnel responsible for implementing activities identified in the storm water pollution prevention plan or otherwise responsible for storm water management at all levels of responsibility of the components and goals of the storm water pollution prevention plan. Training should address topics such as spill response, good housekeeping and material management practices. A pollution prevention plan shall identify periodic dates for such training.

(6) Recordkeeping and internal reporting procedures. A description of incidents (such as spills, or other discharges), along with other information describing the quality and quantity of storm water discharges shall be included in the plan. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the plan.

(7) Sediment and erosion control. The plan shall identify areas which, due to topography, activities, or other factors, have a high potential for significant soil erosion, and identify structural, vegetative, and/or stabilization measures to be used to limit erosion.

(8) Management of runoff. The plan shall contain a narrative consideration of the appropriateness of traditional storm water management practices (practices other than those which control the generation or source(s) of pollutants) used to divert, infiltrate, reuse, or otherwise manage storm water runoff in a manner that reduces pollutants in storm water discharges from the site. The plan shall provide that measures that the permittee determines to be reasonable and appropriate shall be implemented and maintained. The potential of various sources at the facility to contribute pollutants to storm water discharges associated with industrial activity shall be considered when determining reasonable and appropriate measures. Appropriate measures may include: vegetative swales and practices, reuse of collected storm water (such as for a process or as an irrigation source), inlet controls (such as oil/water separators), snow management activities, infiltration devices, wet detention/retention devices; or other equivalent measures.

d. Comprehensive site compliance evaluation. Qualified facility personnel who are familiar with the industrial activity, the BMPs and the storm water pollution prevention plan shall conduct site compliance evaluations at appropriate intervals specified in the plan, but in no case less than once a year. Such evaluations shall include the following:

(1) Areas contributing to a storm water discharge associated with industrial activity shall be visually inspected for evidence of, or the potential for, pollutants entering the drainage system. Measures to reduce pollutant loadings shall be evaluated to determine whether they are adequate and properly implemented in accordance with the terms of the permit or whether additional control measures are needed. Structural storm water management measures, sediment and erosion control measures, and other structural pollution prevention measures identified in the plan shall be observed to ensure that they are operating correctly. A visual

inspection of equipment needed to implement the plan, such as spill response equipment, shall be made.

(2) Based on the results of the evaluation, the description of potential pollutant sources identified in the plan in accordance with Part II G 4 b and pollution prevention measures and controls identified in the plan in accordance with Part II G 4 c shall be revised as appropriate within 2 weeks of such evaluation and shall provide for implementation of any changes to the plan in a timely manner, but in no case more than 12 weeks after the evaluation.

(3) A report summarizing the scope of the inspection, personnel making the inspection, the date(s) of the inspection, major observations relating to the implementation of the storm water pollution prevention plan, and actions taken in accordance with Part II G 4 d shall be made and retained as part of the storm water pollution prevention plan as required in Part III B. The report shall identify any incidents of noncompliance. Where a report does not identify any incidents of noncompliance, the report shall contain a certification that the facility is in compliance with the storm water pollution prevention plan and this permit. The report shall be signed in accordance with Part III K.

. (4) Where compliance evaluation schedules overlap with inspections required under Part II G 4 c (4), the compliance evaluation may be conducted in place of one such inspection.

5. Special pollution prevention plan requirements

a. Additional requirements for storm water discharges associated with industrial activity from facilities subject to section 313 of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) reporting requirements. Potential pollutant sources for which the facility has reporting requirements under EPCRA 313 must be identified in the summary of potential pollutant sources as per Part II G.4.b.

b. Additional requirements for salt storage. Storage piles of salt used for deicing or other commercial or industrial purposes must be enclosed or covered to prevent exposure to precipitation (except for exposure resulting from adding or removing materials from the pile). Piles do not need to be enclosed or covered where storm water from the pile is not discharged to surface waters or the discharges from the piles are authorized under another permit.

# PART III
# CONDITIONS APPLICABLE TO ALL VPDES PERMITS

A. Monitoring

1. Samples and measurements taken as required by this permit shall be representative of the monitored activity.
2. Monitoring shall be conducted according to procedures approved under 40 CFR Part 136 or alternative methods approved by the U.S. Environmental Protection Agency, unless other procedures have been specified in this permit.
3. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals that will insure accuracy of measurements.

B. Records

1. Records of monitoring information shall include:
   a. The date, exact place, and time of sampling or measurements;
   b. The individual(s) who performed the sampling or measurements;
   c. The date(s) and time(s) analyses were performed;
   d. The individual(s) who performed the analyses;
   e. The analytical techniques or methods used; and
   f. The results of such analyses.
2. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years, the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the registration statement for this permit, for a period of at least 3 years from the date of the sample, measurement, report or request for coverage. This period of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the permittee, or as requested by the Board.

C. Reporting monitoring results

1. The permittee shall submit the results of the monitoring required by this permit not later than the 10th day of the month after monitoring takes place, unless another reporting schedule is specified elsewhere in this permit. Monitoring results shall be submitted to the department's regional office.
2. Monitoring results shall be reported on a Discharge Monitoring Report (DMR) or on forms provided, approved or specified by the department.
3. If the permittee monitors any pollutant specifically addressed by this permit more frequently than required by this permit using test procedures approved under 40 CFR Part 136 or using other test procedures approved by the U.S. Environmental Protection Agency or using procedures specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or reporting form specified by the department.
4. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.

D. Duty to provide information

The permittee shall furnish to the department, within a reasonable time, any information which the Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The board may require the permittee to furnish, upon request, such plans, specifications, and other pertinent information as may be necessary to determine the effect of the wastes from his discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of the State Water Control Law. The permittee shall also furnish to the department upon request, copies of records required to be kept by this permit.

E. Compliance schedule reports

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

F. Unauthorized discharges

Except in compliance with this permit, or another permit issued by the board, it shall be unlawful for any person to:

1. Discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances; or
2. Otherwise alter the physical, chemical or biological properties of such state waters and make them detrimental to the public health, or to animal or aquatic life, or to the use of such waters for domestic or industrial consumption, or for recreation, or for other uses.

G. Reports of unauthorized discharges

Any permittee who discharges or causes or allows a discharge of sewage, industrial waste, other wastes or any noxious or deleterious substance into or upon state waters in violation of Part III F; or who discharges or causes or allows a discharge that may reasonably be expected to enter state waters in violation of Part III F, shall notify the department of the discharge immediately upon discovery of the discharge, but in no case later than 24 hours after said discovery. A written report of the unauthorized discharge shall be submitted to the department, within five days of discovery of the discharge. The written report shall contain:

1. A description of the nature and location of the discharge;
2. The cause of the discharge;
3. The date on which the discharge occurred;
4. The length of time that the discharge continued;
5. The volume of the discharge;
6. If the discharge is continuing, how long it is expected to continue;
7. If the discharge is continuing, what the expected total volume of the discharge will be; and
8. Any steps planned or taken to reduce, eliminate and prevent a recurrence of the present discharge or any future discharges not authorized by this permit.

Discharges reportable to the department under the immediate reporting requirements of other regulations are exempted from this requirement.

H. Reports of unusual or extraordinary discharges

If any unusual or extraordinary discharge including a bypass or upset should occur from a treatment works and the discharge enters or could be expected to enter state waters, the permittee shall promptly notify, in no case later than 24 hours, the department by telephone after the discovery of the discharge. This notification shall provide all available details of the incident, including any adverse affects on aquatic life and the known number of fish killed. The permittee shall reduce the report to writing and shall submit it to the department within five days of discovery of the discharge in accordance with Part III I 2. Unusual and extraordinary discharges include but are not limited to any discharge resulting from:

1. Unusual spillage of materials resulting directly or indirectly from processing operations;
2. Breakdown of processing or accessory equipment;
3. Failure or taking out of service some or all of the treatment works; and
4. Flooding or other acts of nature.

I. Reports of noncompliance

The permittee shall report any noncompliance which may adversely affect state waters or may endanger public health.

1. An oral report shall be provided within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information which shall be reported within 24 hours under this paragraph:
   a. Any unanticipated bypass; and
   b. Any upset which causes a discharge to surface waters.
2. A written report shall be submitted within 5 days and shall contain:
   a. A description of the noncompliance and its cause;
   b. The period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and
   c. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

   The board may waive the written report on a case-by-case basis for reports of noncompliance under Part III I if the oral report has been received within 24 hours and no adverse impact on state waters has been reported.
3. The permittee shall report all instances of noncompliance not reported under Parts III I 1 or 2, in writing, at the time the next monitoring reports are submitted. The reports shall contain the information listed in Part III I 2.

   NOTE: The immediate (within 24 hours) reports required in Parts III G, H and I may be made to the department's regional office by telephone or by fax. For reports outside normal working hours, leave a message and this shall fulfill the immediate reporting requirement. For emergencies, the Virginia Department of Emergency Services maintains a 24 hour telephone service at 1-800-468-8892.

J. Notice of planned changes

1. The permittee shall give notice to the department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:
   a. The permittee plans alteration or addition to any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced:

(1) After promulgation of standards of performance under § 306 of Clean Water Act which are applicable to such source; or

(2) After proposal of standards of performance in accordance with § 306 of Clean Water Act which are applicable to such source, but only if the standards are promulgated in accordance with § 306 within 120 days of their proposal;

b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations nor to notification requirements specified elsewhere in this permit; or

c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.

2. The permittee shall give advance notice to the department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

K. Signatory requirements

1. Registration statements. All registration statements shall be signed as follows:

a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

c. For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a public agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

2. Reports, etc. All reports required by permits, and other information requested by the board shall be signed by a person described in Part III K 1, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

a. The authorization is made in writing by a person described in Part III K 1;

b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.); and

c. The written authorization is submitted to the department.

3. Changes to authorization. If an authorization under Part III K 2 is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part III K 2 shall be submitted to the department prior to or together with any reports, or information to be signed by an authorized representative.

4. Certification. Any person signing a document under Parts III K 1 or 2 shall make the following certification:

> "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

L. Duty to Comply

The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the State Water Control Law and the Clean Water Act, except that noncompliance with certain provisions of this permit may constitute a violation of the State Water Control Law but not the Clean Water Act. Permit noncompliance is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

The permittee shall comply with effluent standards or prohibitions established under §307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under §405(d) of the Clean Water Act within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if this permit has not yet been modified to incorporate the requirement.

M. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee shall apply for and obtain a new permit. All permittees with a currently effective permit shall submit a new application at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the Board. The Board shall not grant permission for applications to be submitted later than the expiration date of the existing permit.

N. Effect of a Permit

This permit does not convey any property rights in either real or personal property or any exclusive privileges, nor does it authorize any injury to private property or invasion of personal rights, or any infringement of federal, state or local law or regulations.

O. State Law

Nothing in this permit shall be construed to preclude the institution of any legal action under, or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any other state law or regulation or under authority preserved by §510 of the Clean Water Act.

Except as provided in permit conditions on "bypassing" (Part III U), and "upset" (Part III V) nothing in this permit shall be construed to relieve the permittee from civil and criminal penalties for noncompliance.

P. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under §§62.1-44.34:14 through 62.1-44.34:23 of the State Water Control Law.

Q. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes effective plant performance, adequate funding, adequate staffing, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

R. Disposal of solids or sludges

Solids, sludges or other pollutants removed in the course of treatment or management of pollutants shall be disposed of in a manner so as to prevent any pollutant from such materials from entering state waters.

S. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

T. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

U. Bypass

1. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Parts III U 2 and U 3.
2. Notice
   a. Anticipated bypass. If the permittee knows in advance of the need for a bypass, prior notice shall be submitted, if possible at least ten days before the date of the bypass.
   b. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Part III I.
3. Prohibition of bypass.

a. Bypass is prohibited, and the board may take enforcement action against a permittee for bypass, unless:

(1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

(3) The permittee submitted notices as required under Part III U 2.

b. The board may approve an anticipated bypass, after considering its adverse effects, if the board determines that it will meet the three conditions listed above in Part III U 3 a.

V. Upset

1. An upset constitutes an affirmative defense to an action brought for noncompliance with technology based permit effluent limitations if the requirements of Part III V 2 are met. A determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is not a final administrative action subject to judicial review.

2. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

a. An upset occurred and that the permittee can identify the cause(s) of the upset;

b. The permitted facility was at the time being properly operated;

c. The permittee submitted notice of the upset as required in Part III I; and

d. The permittee complied with any remedial measures required under Part III S.

3. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

W. Inspection and Entry

The permittee shall allow the director, or his designee, upon presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;

2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act and the State Water Control Law, any substances or parameters at any location.

For purposes of this section, the time for inspection shall be deemed reasonable during regular business hours, and whenever the facility is discharging. Nothing contained herein shall make an inspection unreasonable during an emergency.

X. Permit Actions

Permits may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Y. Transfer of permits

1. Permits are not transferable to any person except after notice to the department. Except as provided in Part III Y 2, a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued, or a minor modification made, to identify the new permittee and incorporate such other requirements as may be necessary under the State Water Control Law and the Clean Water Act.

2. As an alternative to transfers under Part III Y 1, this permit may be automatically transferred to a new permittee if:

a. The current permittee notifies the department at least 30 days in advance of the proposed transfer of the title to the facility or property;

b. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and

c. The board does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in Part III Y 2 b.

Z. Severability

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

Attachment D

Registration Statement and Instructions

**GENERAL VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT REGISTRATION STATEMENT FOR READY-MIXED CONCRETE PLANTS**

1. **APPLICANT INFORMATION**

A. Name of Facility: _____

B. Facility Owner: _____

C. Owner's Mailing Address
a. Street or P.O. Box _____
b. City or Town _____ c. State _____ d. Zip Code _____
e. Phone Number _____

D. Facility Location:_____
Street No., Route No., or Other Identifier

E. Is the operator of the facility also the owner? ___ Yes ___ No If No, complete F. & G.

F. Name of Operator: _____

G. Operator's Mailing Address
a. Street or P.O. Box _____
b. City or Town _____ c. State _____ d. Zip Code _____
e. Phone Number _____

2. **FACILITY INFORMATION**

A. Primary Standard Industrial Classification (SIC) Code:_____
Secondary SIC Codes:_____

B. Nature of business: (provide a brief description)_____
_____

C. Is this a proposed or existing facility?_____
Does this facility currently have a VPDES permit? Yes____No _____
If yes, give permit number._____
Does this facility currently have a VPA permit? Yes____ No____
If yes, give permit number._____

D. Describe any type of wastewater treatment or reuse/recycle system(s); identify any system(s) which operate only in a "no discharge" mode:_____
_____

If settling basins are used for treatment and control of process wastewater and commingled storm water, indicate the date of construction _____
Are these basins lined with concrete or any other impermeable materials? Yes____ No____

E. Are there vehicle/equipment maintenance activities on site? Yes___ No___
If yes, is there any process wastewater generated from these activities? Yes___ No___

F. Will this facility discharge non-contact cooling water from a geothermal unit or other system? Yes____ No___ If Yes, describe the source of non-contact cooling water _____

G. Are any chemical additives used in the geothermal or other system which discharges non-contact cooling water? Yes ____ No ____ If yes, complete a, b, c and d.

a. List the chemical additive to be employed and its purpose;

_____

b. Give the proposed schedule and quantity of chemical usage, and the estimated concentration in the discharge;

_____

c. Describe any wastewater treatment or retention (if any) to be provided during the use of the additives; and

_____

d. Attach a Material Safety Data Sheet (MSDS) and available aquatic toxicity information for each additive proposed for use.

H. Describe any measures employed to reclaim, reuse or dispose of the waste concrete materials.

_____
_____

3. **FACILITY DRAWING**

Attach a schematic drawing showing the source(s) of water used on the property, the industrial operations contributing to or using water, and the conceptual design of the methods of treatment and disposal of wastewater and solids.

4. **MAP**

Attach a topographic map extending to at least one mile beyond property boundary. The map must show the outline of the facility, and the location of each of its existing and proposed intake and discharge points. Include all springs, rivers and other surface water bodies.

5. **DISCHARGE INFORMATION**

A. List all discharge outfalls by a number that is the same as on the map required in Question 4. Identify the processes which discharge through each outfall. Estimate the flow in gallons per day (gpd). Give the name of the waterbody receiving the discharge.

| Outfall No. | Operation | Daily Flow (gpd) Maximum/Average | Receiving Stream |
|---|---|---|---|
| | | | |
| | | | |
| | | | |
| | | | |

B. Identify the duration and frequency of the discharge for each separate discharge point:

| Outfall No. | hour/day | day/week |
|---|---|---|
| | | |
| | | |
| | | |
| | | |

6. **STORM WATER POLLUTION PREVENTION PLAN**

If your facility is a proposed one, as identified under Item 2.C, and includes storm water outfall(s), as identified under Item 5.A above, has a Storm Water Pollution Prevention Plan been prepared?
Yes ____ No ____

7. **CERTIFICATION**

I hereby grant to duly authorized agents of the Department of Environmental Quality, upon presentation of credentials, permission to enter the property where the treatment works is located for the purpose of determining compliance with or the suitability of coverage under the General Permit. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations.

Signature:_____ Date:_____

Name of person signing above:_____
(printed or typed)

Title:_____

**REQUIRED ATTACHMENTS:**

1. MSDS and available aquatic toxicity information for Chemical Additives (if applicable)
2. Facility Drawing
3. Topographic Map

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**For Department use only**:
Accepted/Not Accepted by:_____ Date:_____
Basin_____ Stream Class_____ Section_____
Special Standards_____

**INSTRUCTION FOR COMPLETING THE REGISTRATION STATEMENT**
**FOR**
**THE GENERAL VPDES PERMIT FOR READY-MIXED CONCRETE PLANTS (VAG11)**

**WHO MUST FILE THE REGISTRATION STATEMENT**
This registration statement must be completed and submitted by any ready-mixed concrete plants requesting coverage under the above general permit for process wastewater discharges and/or regulated storm water discharges.

**WHERE TO FILE THE REGISTRATION STATEMENT**
The completed registration statement with original signature, a copy of the fee form, and a copy of your check for the appropriate fee should be sent to the Department of Environmental Quality Regional Office for your area. The original fee form and the original check should be sent to Receipts Control at the DEQ's Richmond Office. The address to send the fee form and the check is provided in the Fee Form Instructions. The Regional Office for your area depends on the county in which the discharge is located. Regional office addresses can be obtained from our website at www.deq.state.va.us, or by calling the DEQ at (804) 698-4000.

**COMPLETENESS**
Complete all items except where indicated, or enter NA for "not applicable" in order for your registration statement to be accepted. If you need more space than the form allows, write on and attach extra sheets of paper.

**DEFINITIONS**
SIC Codes mean the "Standard Industrial Classification" codes listed in the Federal Office of Management and Budget (OMB) SIC Manual, 1987. SIC codes are used as identifiers of industries with certain characteristics. The SIC code for ready-mixed concrete plants is 3273.
Storm water, for the purposes of this form, means storm water runoff that is regulated by the EPA and State storm water regulations. It refers to the runoff during storms that may come into contact with raw materials, products or waste materials from ready-mixed concrete plants.
Process wastewater is water that was used in the processing of the ready-mixed concrete, such as truck washout, truck wash-off, central mixer washout, and non-contact cooling water from geothermal systems or other such systems. Sewage discharges are not covered by this general permit.

**LINE BY LINE INSTRUCTIONS**

**Item 1. APPLICANT INFORMATION**
Item A: Provide the name of the ready-mixed concrete plant here.
Item B: Provide the name of the person or corporation that owns the business. This does not have to be the owner of the building (e.g. if it is leased) but should be who is responsible for the business and wants coverage under the general permit.
Item C: Provide the mailing address and phone number of the above person.
Item D: Indicate here the physical location of the facility if it can't be located from the mailing address.
Item E: If someone other than the owner listed in item B runs the plant and is the person with whom business will be conducted, check **No**. Otherwise check **Yes.**
Item F. If **No** was checked above, indicate the name of the person other than the owner who operates the facility.
Item G. Provide the address and phone number of the person other than the owner here.

**Item 2. FACILITY INFORMATION**
Item A: Provide the facility's primary and secondary SIC Codes. This general permit will cover a facility or portions of a facility where the primary purpose is classified as SIC Code 3273. This general permit does not exclude coverage for a ready-mixed concrete plant with a secondary industrial activity colocated on site as long as the secondary activity does not generate any point source discharge.
Item B: Provide a brief description of the process activities. Indicate if the ready-mixed concrete plant is permanent or portable.
Item C: Provide permit number for any valid VPDES permit or VPA permit/No Discharge Certificate held by the facility.
Item D: Describe the type(s) of wastewater treatment employed, including reuse/recycle system(s). Identify any system(s) which operates only in a "no discharge" mode. Also identify the date of construction and liner installation of the settling

basins. All settling basins that were constructed on or after February 2, 1998 are required to be lined with concrete or any other impermeable materials prior to commencing operation. DEQ requires that liners have a maximum coefficient of permeability of $1x10^{-6}$ cm/sec. It is recommended that soil used as liners be capable of achieving a maximum coefficient of permeability of $1x10^{-7}$ cm/sec or less. Total soil liner thickness should be one foot after compaction of two separate lifts of equal thickness. Synthetic liners are not recommended due to their tendency of puncture. If concrete is used, a minimum thickness of one foot reinforced concrete is recommended.

Item E: Identify if there are any vehicle/equipment maintenance activities on site. Also indicate if there are any process wastewater produced as a result of these activities.

Item F: Indicate if the facility discharges any cooling water from a geothermal unit or other system. Also describe the source of the cooling water if applicable.

Item G: The use of any chemical additives, except chlorine, without prior approval is prohibited under this general permit. You should list all chemicals currently used or anticipate to use within the life of the permit term on the registration statement. Prior approval shall be obtained from the DEQ before any changes are made to the chemical usage in the geothermal or other system. The MSDS and available aquatic toxicity information for each additive used may be obtained from the manufacturer of the chemical additives.

Item H: Describe measures used by the facility to reclaim, reuse or dispose of the waste concrete materials. The general permit restricts waste concrete reclamation to a designated area and prohibits any untreated discharge from this area to surface water.

**Item 3: FACILITY DRAWING**

A schematic drawing should show the source(s) of water used for production, the industrial operations contributing to or using water, and the conceptual design of the methods of treatment and disposal of wastewater and solid materials (such as solids from the settling basins and waste concrete materials). If a liner is installed in the settling basin(s), the drawing should reflect its specifications.

**Item 4: MAP**

Map should be legible and of sufficient scale to show the required features with the site boundaries clearly marked.

**Item 5: DISCHARGE INFORMATION**

List all discharge outfalls by a number, such as 001, 002, etc. Discharge to the receiving stream may be through a municipal separate storm sewer system. In such cases, identify the receiving stream with a footnote recognizing the owner of the municipal separate storm sewer system which the outfall discharges through.

**Item 6: STORM WATER POLLUTION PREVENTION PLAN**

For proposed facilities including storm water outfall(s), a Storm Water Pollution Prevention Plan shall be prepared and implemented on or before the date of submission of the registration statement.

**Item 7: CERTIFICATION**

All registration statement shall be signed as follows:

1. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding $25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
2. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
3. For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a federal agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

Attachment E

Fee Form

**DEPARTMENT OF ENVIRONMENTAL QUALITY**
**WATER DIVISION**
**PERMIT APPLICATION FEE**
**EFFECTIVE JULY 1, 2002**

**INSTRUCTIONS**

**Applicants for individual Virginia Pollutant Discharge Elimination System (VPDES), Virginia Pollution Abatement (VPA), Virginia Water Protection (VWP), Surface Water Withdrawal (SWW), and Ground Water Withdrawal (GWW) Permits are required to pay permit application fees except farming operations engaged in production for market. Fees are also required for registration for coverage under General Permits except for the general permits for sewage treatment systems with discharges of 1,000 gallons per day (GPD) or less and for Corrective Action Plans for leaking underground storage tanks. Except for VWP permits, fees must be paid when applications for permit issuance, reissuance or modification are submitted. Applicants for VWP permits will be notified by the DEQ of the fee due. Applications will be considered incomplete if the proper fee is not paid and will not be processed until the fee is received.**

**The permit fee schedule is included with this form. Fees for permit issuance or reissuance and for permit modification are included. Once you have determined the fee for the type of application you are submitting, complete this form. The original copy of the form and your check or money order payable to "Treasurer of Virginia" should be mailed to the Department of Environmental Quality, Receipts Control, P.O. Box 10150, Richmond, VA 23240. A copy of the form and a copy of your check or money order should accompany the permit application. You should retain a copy for your records. Please direct any questions regarding this form or fee payment to the DEQ Office to which you are submitting your application.**

**APPLICANT NAME:**_____ **SSN/FIN:**_____

**ADDRESS:**_____ **DAYTIME PHONE:** **(_____)**_____

**Area Code**

_____

_____

**FACILITY/ACTIVITY NAME:**_____

_____

**LOCATION:**_____

_____

**TYPE OF PERMIT APPLIED FOR**
**(from Fee Schedule):**_____

_____

**TYPE OF ACTION:** _____ **New Issuance** _____ **Reissuance** _____ **Modification**

**AMOUNT OF FEE SUBMITTED**
**(from Fee Schedule):**_____

_____

**EXISTING PERMIT NUMBER (if applicable):**_____

_____

**DEQ OFFICE TO WHICH APPLICATION SUBMITTED (check one)**

☐ Abingdon/SWRO ☐ Harrisonburg/VRO ☐ Kilmarnock/KO ☐ Woodbridge/NVRO ☐ Lynchburg/SCRO
☐ Richmond/PRO ☐ Richmond/Headquarters ☐ Roanoke/WCRO ☐ Virginia Beach/TRO

**FOR DEQ USE ONLY**

**Date:** _____
**DC #:** _____

**Original Form and Check - DEQ Accounting Office**
**Copy of Form and Copy of Check - DEQ Regional or Permit Program Office**

**FEE SCHEDULE--APPLICATIONS FOR INDIVIDUAL PERMITS—EFFECTIVE JULY 1, 2002**
**EXCEPT FOR VIRGINIA WATER PROTECTION PERMITS**
**(DUE WITH SUBMISSION OF APPLICATION)**

| TYPE OF PERMIT | ISSUANCE/ REISSUANCE | MODIFICATION |
|---|---|---|
| VPDES Industrial Major | $24,000 | $12,000 |
| VPDES Municipal Major | $21,300 | $10,650 |
| VPDES Municipal Storm Water | $21,300 | $10,650 |
| VPDES Industrial Minor, No Standard Limits | $10,200 | $5,100 |
| VPDES Industrial Minor, Standard Limits | $6,600 | $3,300 |
| VPDES Industrial Storm Water | $7,200 | $3,600 |
| VPDES Municipal Minor, 100,000 GPD or More | $7,500 | $3,750 |
| VPDES Municipal Minor, More than 10,000 GPD but Less than 100,000 GPD | $6,000 | $3,000 |
| VPDES Municipal Minor, More than 1,000 GPD but 10,000 GPD or Less | $5,400 | $2,700 |
| VPDES Municipal Minor, 1,000 GPD or Less | $4,200 | $2,100 |
| VPA Industrial Wastewater Operation | $10,500 | $5,250 |
| VPA Industrial Sludge Operation | $7,500 | $3,750 |
| VPA Municipal Wastewater Operation | $13,500 | $6,750 |
| VPA Municipal Sludge Operation | $7,500 | $3,750 |
| GWW Initial Permit for an Existing Withdrawal | $1,200 | $ 600 |
| GWW Permit for a New or Expanded Withdrawal | $6,000 | $3,000 |
| SWW Certificate for an Existing Withdrawal | $6,000 | $3,000 |
| SWW Permit for a New or Expanded Withdrawal | $9,000 | $4,500 |

**FEE SCHEDULE--APPLICATIONS FOR INDIVIDUAL VIRGINIA WATER PROTECTION PERMITS**
**(APPLICANT WILL BE NOTIFIED OF FEE DUE BY DEQ)**

| TYPE OF PERMIT | ISSUANCE/ REISSUANCE | MODIFICATION |
|---|---|---|
| VWP Category I Project | $9,000 | $4,500 |
| VWP Category II Project | $6,300 | $3,150 |
| VWP Category III Project | $2,400 | $1,200 |
| VWP Waiver | No waivers | No waivers |

**FEE SCHEDULE--REGISTRATION FOR GENERAL PERMIT COVERAGE**

| With the following exceptions, the maximum fee for registration for general permit coverage is $600. The specific amount of the fee depends on the amount of time the general permit will remain in effect. Please contact the DEQ Office to which registration materials are to be submitted for assistance in determining the amount of the fee due. | | |
|---|---|---|
| Registration for coverage under any VWP general permit authorizing impacts to less than one-half of an acre of non-tidal surface waters. | $600 | No modifications |
| Registration for coverage under any VWP general permit authorizing impacts to one-half of an acre or more of non-tidal surface waters. | $1,200 | No modifications |

Attachment F

Example Registration Statement Transmittal Letter

**Transmittal Letter**
**Ready-Mixed Concrete Plants General Permit Registration Statement**

**Regional Letterhead**

Facility Name
Address

ATTN: John Contact

RE: Registration for the General VPDES Permit for Ready-Mixed Concrete Plants

Dear Mr. Contact:

General VPDES permit VAG11 for Ready-Mixed Concrete Plants was adopted by the State Water Control Board at its June 19, 2003 meeting and is effective as of October 1, 2003. This general permit provides VPDES permit coverage to discharges from all qualified ready-mixed concrete plants that submit a registration statement and are approved for coverage.

Discharges covered under the existing general permit VAG11, which expires September 30, 2003, must submit a registration statement if they wish to continue to be covered under the new general permit effective October 1, 2003. The registration statement and applicable fee must be received by the Department of Environmental Quality prior to October 1, 2003.

Individual VPDES permit holders or other ready-mixed concrete plant owners must complete and submit the enclosed registration statement if they wish to be covered under this general permit instead of an individual permit. The registration must be submitted [at least 180 days of the expiration date of an existing individual permit] [at least 30 days prior to commencing operation of a new process] [within X days][*]. If your facility qualifies for the general permit, it is recommended that you obtain coverage in order to simplify requirements for having your process wastewater or storm water discharges permitted.

**Note: For non-permitted existing facilities, inform them of the requirement to obtain a permit, the consequences of discharging without permit coverage and set a time for submittal.*

Instructions for completing the registration form are included in this package. The permit application fee for this general permit is $600.00 and should be submitted in accordance with the attached fee form.

[On-line registration for coverage under this general permit is available at the following website: http://www.deq.state.va.us/vpdes/concrete.html. However, DEQ must receive a printed application, a copy of the fee form, and a copy of the check in the mail before processing can be completed.]

If you have any questions, please do not hesitate to contact us.

Sincerely,

Regional WPM Name
Water Permit Manager

Attachment G

Example Transmittal Letter for Issuing General Permit Coverage

**Transmittal Letter**
**Ready-Mixed Concrete Plants General Permit**

**Regional Letterhead**

Facility Name
Address

ATTN: John Contact

RE: Coverage under the General VPDES Permit for Ready-Mixed Concrete Plants VAG11____

Dear Permittee:

We have reviewed your Registration Statement received on _____, and determined that this ready-mixed concrete activity is hereby covered under the referenced general VPDES permit. The effective date of your coverage under this general permit is the effective date of the permit or the date of this letter, whichever is later. The enclosed copy of the general permit contains the applicable effluent limitations, monitoring requirements and other conditions of coverage.

In accordance with the permit you are required to submit discharge monitoring reports (DMR) to:

**Regional Office Address**

The reporting form[s] which specifies[y] the applicable effluent limitation and monitoring requirements is [are] included with the permit. You will be responsible for obtaining additional copies of the reporting form. A DMR is to be completed for each permitted outfall. The sampling and reporting are on a monthly [quarterly] [yearly] basis with the DMRs due on the tenth of the following month [tenth of January, April, July and October *for quarterly*] [January 10 of each year *for yearly*].

Please note that Part I B.8 of the general permit requires that you develop and maintain an Operation and Maintenance (O&M) Manual for the permitted facility. [*For a new facility*] This part of permit requires that you develop an O&M Manual within 180 days of permit coverage and implement the O&M Manual procedures within 12 months of permit coverage. [*For a facility covered under a previous general permit only*] This part of permit requires that you review and modify, as appropriate, the existing O&M Manual within 90 days of permit coverage. The existing manual shall continue to be implemented until the manual, if required, is revised and implemented.

Also note that this general permit constitutes coverage of your storm water discharges as required by the storm water regulations for your industry. Part II of the general permit pertains to these storm water discharges. [*For existing facilities only*] This part of the permit requires that you develop and implement a Storm Water Pollution Prevention Plan within 270 days of permit coverage. [*For a facility covered under a previous general permit only*] This part of permit requires that you review and modify, as appropriate, the existing Storm Water Pollution Prevention Plan within 120 days of permit coverage. The existing plan shall continue to be implemented until a new plan, if required, is developed and implemented.

The general permit will expire on October 1, 2008. The conditions of the permit require that you submit a new registration statement at least 180 days prior to that date if you wish continued coverage under the general permit, unless permission is granted to submit a new registration statement on a later date. Permission can not be granted to submit the registration statement after the expiration date of the permit.

If you have any questions, please do not hesitate to contact us.

Sincerely,

Regional WPM Name
Water Permit Manager